



AGENDA
RIO DELL CITY COUNCIL
CLOSED SESSION - 5:30 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, SEPTEMBER 20, 2016
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE

***WELCOME . . .** By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2016/0920.01 - **Conference with Labor Negotiator – City Manager**
Concerning Labor Negotiations with Rio Dell Employees Association, Rio Dell Police Officers Association, and all Contract Employees (Pursuant to Gov't Code §54957.6)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE
- I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".

1) 2016/0920.02 - Approve Minutes of the September 6, 2016 Regular Meeting
(ACTION) 1

2) 2016/0920.03 - Check Register for August 2016 (RECEIVE & FILE) 27

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. SPECIAL PRESENTATIONS/STUDY SESSIONS

N. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

1) 2016/0920.04 - Authorize staff to sign Funding Agreement with SWRCB, Issue Notice of Award, Issue Notice to Proceed and Execute Construction Management Contract with GHD for the Metropolitan Wells Project (DISCUSSION/POSSIBLE ACTION) 31

2) 2016/0920.05 - Update on Downtown Parking Lot Improvements (DISCUSSION/POSSIBLE ACTION) 67

3) 2016/0920.06 - Bottled Water Proposal from Councilmember Thompson (DISCUSSION/POSSIBLE ACTION) 68

- 4) 2016/0920.07 - Authorize staff to send out a Request for Proposal (RFP) Related to the Replacement of the Waterline along Old Ranch Road **(DISCUSSION/POSSIBLE ACTION)** 78

O. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2016/0920.08 - Second Reading (by title only) and Adoption of Ordinance No. 347-2016 amending Section 17.30.020, Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made **(DISCUSSION/POSSIBLE ACTION)** 93
- 2) 2016/0920.09 - Second Reading (by title only) and Adoption of Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect referenced sections which were recently amended **(DISCUSSION/POSSIBLE ACTION)** 101

P. REPORTS/STAFF COMMUNICATIONS

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, October 4, 2016 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING
SEPTEMBER 6, 2016
MINUTES**

The closed session/regular meeting of the Rio Dell City Council was called to order at 5:30 pm by Mayor Wilson.

ROLL CALL: Present: Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks, and Thompson

Others Present: City Manager Knopp, Finance Director Woodcox, Community Development Director Caldwell, Clerk Dunham, and City Attorney Gans

Absent: Chief of Police Hill, Water/Roadways Superintendent Jensen, and Wastewater Superintendent Trainee Yapple (excused)

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

Conference with Labor Negotiator – City Manager – Concerning Labor Negotiations with Rio Dell Employees Association, Rio Dell Police Officers Association, and all Contract Employees

The Council recessed into closed session at 5:30 p.m. with the City Manager and City Attorney to discuss labor negotiations as posted.

The Council reconvened into open session at 6:30 p.m.

Mayor Wilson announced there was no reportable action taken in closed session.

PUBLIC PRESENTATIONS

None

CONSENT CALENDAR

Motion was made by Garnes/Johnson to approve the consent calendar including approval of minutes of the August 16, 2016 regular meeting. Motion carried 5-0.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation on Measure 'S' Related to Commercial Marijuana Cultivation Taxes in the Unincorporated Areas of Humboldt County – (CAO Amy Nilsen and Undersheriff Bill Honsel)

City Manager Knopp stated that the County has requested to come and give a presentation on Measure 'S', a proposed commercial marijuana cultivation tax. He introduced County CAO Amy Nilsen and stated that Undersheriff Bill Honsel was unable to attend this evening.

Ms. Nilsen provided a power point presentation and explained the proposed cultivation measure, if enacted by voters, will provide a source of local funding to help maintain local essential county services that cannot be taken by the state. She noted that the state has continually taken money from the county (over \$325 million).

She said the funding will help enforce laws that require marijuana growers to protect natural areas and waterways; maintain services for victims of child abuse; maintain rural ambulance service; maintain mental health services for children and families; provide emergency communications for medical and first responders; and help to clean up environmentally damaged marijuana farms.

She said Measure 'S' would also provide additional funding to address issues related to hard drugs and narcotics like meth and heroin which continues to be a serious problem in Humboldt County.

The Measure if enacted, will tax commercial marijuana growers a rate of \$1 - \$3 per square foot, based on the type of commercial marijuana grow.

Mayor Pro Tem Johnson commented that he didn't hear the words "medicinal" or "medical marijuana" used and is assuming that if the statewide initiative passes, the tax will also apply to recreational marijuana. He asked if the county has estimated the revenue to be generated for both medical and recreational marijuana.

Ms. Nilsen explained that it is a commercial cultivation tax measure so will apply to both medicinal and recreational marijuana. She said the county estimate of \$7.3 million is based on 400 permits for commercial medical marijuana but they have not estimated the revenue for recreational marijuana since it is still not legal at this point.

Mayor Wilson asked how they are going to facilitate making sure everyone pays their fair share.

Ms. Nilsen said they are hoping this tax gets placed on property tax bills and said they will be working with state advocates to have it assessed on property taxes based on the square footage of the cultivation indicated on the permit.

Mayor Wilson commented that people have previously done this illegally and asked what the motivation is for them to become legal. He said he understands there are some growers that want to do it legally so they will pay taxes but there are also a large number of growers that won't. He said some of the small mom and pop operators feel if they log into the system, the government might take away the improvements they have if they don't renew each year with the Department of Justice because it is still considered illegal by the federal government. He asked again how they are going to insure everyone will pay their fair share.

Ms. Nilsen explained that there are a couple of ways to do that. One way is that there is going to be an annual inspection of these grows or farms. She said as far as illegal grows, there should be funds, should the tax be enacted by the voters, to do some code enforcement activities that will identify those illegal grows.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Consider Possible Elimination of Wildwood Ave. Sculpture Committee

Community Development Director Caldwell provided a brief staff report and said as the Council is aware the city established a Sculpture Committee in 2014 to review and approve potential applications for the placement of sculptures along the Wildwood Avenue corridor on the pedestals that were constructed as part of the Wildwood Avenue Enhancement Project.

He stated that one of the members of the committee, Cheryl Gatlin moved out of the area resulting in a vacancy on the committee. He said staff posted notices and advertised the vacancy in a number of city newsletters to solicit applicants without any success. As such, staff is asking the Council for direction regarding the possible elimination of the Wildwood Avenue Sculpture Committee and having the City Council responsible for reviewing and approving applications for the placement of sculptures.

Councilmember Thompson asked how many members there are on the committee and suggested the idea of perhaps a smaller committee.

Mayor Wilson stated that he doesn't have a problem putting the responsibility back in the hands of the City Council.

Councilmember Marks said it would probably be a good idea until such time there is some type of activity.

Mayor Pro Tem Johnson noted that when the city advertised for the vacancies on the Planning Commission there were some great applicants and said perhaps one of those citizens would be interested in serving on the committee. He said he would like to see the committee continue and to actually work on getting applications to get some sculptures out there.

Community Development Director Caldwell commented that staff had hoped that members of the Eagle Prairie Arts District would display their art and one of the potential artists had expressed interest but unfortunately passed away.

City Manager Knopp commented that staff has been continuing to pursue grants and actually has an inside track on a particular funding source to either purchase sculptures or provide an incentive for artists to construct something. He said staff anticipates submitting an official application around January 2017.

Mayor Wilson suggested tabling the item at this point and continuing to solicit applications to fill the vacancy.

Councilmember Garnes asked if the intent of the committee is to sit back and wait for applications to come in then review them, or to actually reach out to the community to try and get applications.

Community Development Director Caldwell said the intent of the committee is to basically just review the applications but with one of the members on the committee from the Eagle Prairie Arts District (EPAD), the hope was that he would be able to facilitate someone to participate; unfortunately that hasn't happened.

The consensus of the Council was to get the committee together, get their feedback and report back to the Council.

Update on Downtown Parking Lot Improvements

City Manager Knopp provided a staff report including an update on the final work to be done on the city's downtown parking lot. He said the project started with the installation of the EV charging station and due to some ADA issues, some parking spaces were moved, the surface was sealed as well as the installation of some additional lighting.

He said one of the last pieces of the project is the fencing on the north side of the lot and removing bump stops. The original idea was to install large planter boxes but in costing it out, staff discovered it would exceed the project budget.

City Manager Knopp reviewed some basic fence designs and said that a solid board picket type fence might work but staff's concern is that it may be an attractant to graffiti and unless the fence was painted, it would be difficult to clean off. He noted there is \$6,300 left in the budget in terms of improvements to the parking lot and that staff is recommending a split-rail type fence with two or possibly 3 rails with copper post tops like those on the city's electronic sign and the new chamber signs. He indicated with this option, the project can be completed on budget and said staff is asking for a consensus of the Council to move forward and bring the project to a conclusion as soon as possible.

Mayor Pro Tem Johnson asked if the parcel had been surveyed to establish property corners.

City Manager Knopp stated that staff will USA the site before construction to identify the location of existing utilities and said the fence will be located next to a drainage pipe. He said the purpose of the fence is for aesthetics and will basically be connected to the existing fence at the back of the parcel.

Councilmember Thompson mentioned the old growth redwood from the old water tank that the city has been trying to decide what to do with and said this may be a good place to utilize it.

City Manager Knopp stated that staff could look into it as an option and noted that if the redwood was used for that purpose, the water fund would need to be reimbursed as it is a water fund asset.

Mayor Wilson called for public comment on the proposed fence.

Stephen Johnston commented that he works at the former BP Gas Station site next to the city parking lot and is able to monitor the people who use the EV charging station and suggested the Council consider using the money to have a comfort station (restroom) for people to have access to.

Consensus of the Council was that staff takes an inventory of the redwood from the tank and reports back to the Council.

Maritess Brady began addressing the Council regarding a complaint against the water department.

Mayor Wilson informed Ms. Brady that this was not the appropriate time in which to address the council on matters not on the agenda and suggested she meet with the City Manager to discuss her complaint. He welcomed her to come back at the next meeting and address the Council during the *Public Presentation* portion of the meeting.

Ms. Brady said she was told her complaint would fall on deaf ears if she filed a complaint with city staff and said she came to the Council because she has faith in them to listen to what she has to say.

Mayor Wilson said because Ms. Brady didn't understand the protocol for addressing the Council felt the Council should make an exception. The consensus of the Council was 4-1 to allow her to present her complaint at this time.

Ms. Brady continued by stating that she returned home on September 2, 2016 from a trip to the Philippines to find that her water was turned off. She said she came into the office and requested the water be turned back on. She said she was told by Hilda Talavera that she would need to pay the bill in full before it could be turned on. She said she came back at 12:30 p.m. and paid a total of \$303.72 and was promised the water would be turned on by 3:00. She said it wasn't until today at 8:53 a.m. that the water was turned on and said she had to live in a house for four days without water.

She said because of the 3-day weekend, staff should have followed up to make sure the issue was taken care of but didn't.

Mayor Wilson apologized to Ms. Brady on behalf of the city and suggested she follow up with the City Manager the next day.

Ms. Brady thanked the City Council and the City Manager and left the meeting.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduction and First Reading (by title only) of Ordinance No. 348-2016
Establishing Commercial Medical Cannabis Land Use Regulations, Section
17.30.195 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report and said as the Council is aware; it appears the consensus of the Council is to locate all cannabis related activities to the north side of the river in the area known as the Sawmill Annexation area. He said at the August 16, 2016 regular meeting, the Council directed staff to return to this meeting with a new draft ordinance focusing on that specific area.

He said in addition, Councilmember Thompson recommended a number of minor changes which were also incorporated into the new draft ordinance. He

continued with review of those changes and said other than restricting all cannabis related activity north of the river; the other changes are minor in nature.

Staff further explained that pursuant to the Rio Dell Municipal Code (RDMC) Section 17.35.010, any changes to the proposed ordinance must be referred back to the Planning Commission for a report. As such, the changes were presented to the Planning Commission at their August 23, 2016 regular meeting. Commissioner Angeloff had some concern about the language pertaining to background checks and disqualifying felonies but when it was explained that the language was taken straight out of the State's MCRSA, he was satisfied.

Community Development Director Caldwell explained that procedurally, the regulations presented now are considered a new ordinance because the original Ordinance No. 342-2016 which is what the Planning Commission recommended was not approved by the City Council.

Councilmember Thompson referred to page 7 of the ordinance under (e) ***"Stand alone, independent Processing Facilities....."*** and said he would either like to strike the words "stand alone" or add it to the definitions.

Mayor Wilson pointed out that the proposed 'new' ordinance was numbered the same as the original ordinance; 342-2016. He then asked City Attorney Gans for clarification on why the ordinance is given a new number when it basically is the same ordinance.

City Attorney Gans explained that in substance the ordinance appears to be the same. He said it's already gone through the Planning Commission hearing requirements and once the hearings are completed, it ultimately becomes the City Council's ordinance to adopt, amend or change as desired. The principal basis is that there's no real distinction between what is proposed now other than the Council's directed changes to the ordinance. He said the Planning Commission has already gone through this procedural process to review and hold hearings on the Ordinance.

Mayor Wilson referred to (g) on page 4 of the proposed ordinance related to the terminology regarding permitting and licensing and referred to the requirement of state licenses as they become due. He said in the April 12, 2016 Planning Commission minutes it states that cultivation and processing of cannabis shall not be allowed as a principally permitted use unless a Conditional Use Permit is first obtained from the city and the person engaged in such activity has obtained all state licenses and permits required by the applicable state licensing authorities. He said we now know that the state will not be issuing licenses until 2018 so the language in the ordinance needs to clarify that.

Community Development Director Caldwell explained that when this ordinance was first drafted, there was no State MMRSA and since that time, the regulations have been evolving. He said the state is now allowing jurisdictions to approve local operations without state licensing and noted that the County of Humboldt has approved 12 licenses to date and expect that number to go up as high as 2,000.

Mayor Wilson commented that because of this evolution process, one of his concerns is that the city may be getting in too early on this. He said it is good to be on the cutting edge and in front of the pack but it also makes you the Ginny Pig so to speak. He noted that one or two changes in the verbiage can open the city up to success or failure. He said it is a tricky process and he doesn't want to tie up city resources on this one thing because there is a lot of other things that haven't been done as a city because of all the time that has already been spent on this issue.

He brought up the subjects of release of liability, security deposits and bonds and said there doesn't seem to be a lot of information on those subjects and that he would like to see some type of security bonds required starting at \$2 million with the city having the ability to secure in the event there is some kind of environmental damage and clean-up is needed.

City Attorney Gans explained that his office evaluated that issue and said the concern he has and wants the Council to be fully aware of, is that constitutional limitations exist on the scope and extent of impact fees that can be imposed on proposed developments. He said regarding the concept of a bond, there must be

a reasonable nexus between the impacts of the proposed project and the fee imposed in connection with that project.

He said his concern is in trying to find some legal authority to impose some form of bond or remediation bond on the project applicant. He noted that assuming that these activities all take place on private property, which he believes is the case, and unless the city is contemplating private activities on public property which would give rise to additional mechanisms to impose fees, there really isn't a nexus.

He also pointed out that the city wouldn't typically have remedial obligation for some environmental condition that the property owner or user may create. However, if there was an impact to any public infrastructure or systems such as water or sewer, that may provide some basis to create a nexus that would pass the constitutional test to go ahead and impose something on the developer. He pointed out that in this circumstance the same rules for impact fees would apply to a cannabis developer as any other developer. He said a General Obligation Bond, especially one of that nature, would be difficult to find the legal basis to impose it.

Mayor Wilson asked who would be responsible for cleanup of toxic waste should it occur and the business was bankrupt.

City Attorney Gans explained that typically the public entity is not responsible for remediation of environmental cleanup on private property and the property often sits dormant until there is some form of redevelopment or activity that triggers remediation. He noted that the state of California actually abates and liens properties and the city can do that as well. He said if an operator creates an issue that constitutes a public nuisance or discharges into the city's storm drainage system, the city can abate the problem under the city's current nuisance ordinance and pass all the costs and charges onto the property owner under the RDMC as well as state law.

He noted that would be one methodology but there would need to be a tight nexus between whatever the anticipated problems is that this new business is

going to generate to impose as an impact fee as some form of pre-funded remediation fee.

Mayor Wilson asked if this is something that as he researches, the Planning Commission can address under the Conditional Use Permit process.

City Attorney Gans explained that he can still look into that but that there are a number of other fees that can directly be imposed such as a general administration and processing fee or annual operating fees. He said there are some distinctions between the form of fees the city can impose on any general development then those that leads over into whether there is a reasonable nexus to impose as an impact fee. He said general administration fees and processing fees are considered types of fees that are routinely charged and can be imposed legally. He said another example is a lighting improvement fee which is something that is definitely needed for security so there would be an easy nexus to draw between the proposed activity and the need for additional lighting for security in that area. He said if the city has plans to upgrade or improve lighting in connection with permitting these activities in that area, the city can certainly pass that fee onto the developer.

Mayor Wilson asked when those fees will be incorporated into the ordinance.

Community Development Director Caldwell indicated that those fees are adopted by resolution rather than ordinance.

Mayor Wilson then referred to *(5) Penalties and Enforcement* as set forth in Section 17.40.020 of the Rio Dell Municipal Code (RDMC) and said it refers to misdemeanors and a maximum fine of \$1,000. and basically motivates someone to operate illegally because of the amount of the fine. He said what he would like to see from perhaps other jurisdictions is language that spells out what it is to be confiscated or how the violators are fined specifically whether it is by the plant or some other means. He noted that laws generally keep people honest so there needs to be enough strength in the penalties to make sure they are.

Community Development Director Caldwell clarified that the fine is actually \$1,000 for each day the violation occurs. He then provided an example of an extraction facility that produces 1 million grams annually at the wholesale price of \$14 or \$15 a gram. He said that means it is a \$14 – \$15 million operation and he would think that those entrepreneurs would want to comply with the letter of the law. He said they are not going to risk that type of revenue by non-compliance and would not be making application to the city if they didn't want to be so call "good actors." He pointed out that these are people who want to come to the city and play by the rules. The people the Mayor is referring to are the people who are not going to apply for permits and are going to be under the trees operating diesel grows and having hash labs in their barns. As such, he said he doesn't see that being an issue. He said the city has two perspective entrepreneurs interested in coming to the city and they want to go through the process and be legal.

Mayor Wilson stated that he wants as many safeguards in the ordinance as possible then moved onto page 11 of the ordinance under *(c) Site Plan* with regard to the 1,000 foot distance from the cultivation area to schools. He said he is aware there are no schools in that area at this time but that the county added language under Section 55.4.1 to include schools, school bus stops, churches or other places of religious worship, and tribal lands.

Community Development Director Caldwell commented that he believes the county's ordinance only relates to cultivation and dispensaries.

Mayor Wilson stated that he would like it to apply to all cannabis related activities in Rio Dell as stated under 55.4.1 of the county's regulations.

He said he would also like to include in the definitions, a description of the Sawmill Annexation area including assessor parcel numbers for clarity. He noted that the city of Arcata went through a very lengthy process where they created a map with buffers around certain areas and it pretty much wiped out the entire city where cannabis activities are allowed. He said if the same or similar thing was done for Rio Dell it would essentially eliminate activities on this side of the river. He said he would like this done so in the event future city councils can't undo what this council does by a simple majority vote. If it's included in the ordinance, it will make it harder to change because an applicant would have to come and

make their case before the Council. He said again, this is just another assurance to keep activities north of the river.

Community Development Director Caldwell noted that staff can certainly do that as well as include a map of the area that delineates the Sawmill Annexation area.

Mayor Wilson then addressed requirements for water and wastewater and suggested language pertaining to water shortage or drought conditions to place water resource priorities on residential use. He said he read where one cannabis operation uses 60,000 gallon of water a day so in a drought situation when residents are limited to 50 gallons a day it becomes a question as to who gets restricted first; residents or commercial users. He also suggested language be added to state that trucking water shall be allowed during a drought provided it is properly stored and not just during emergencies; as well as language to protect residents use of water during a drought.

Community Development Director Caldwell commented that wells could be drilled in that area but he doesn't believe they would achieve the required flows for fire hydrants so they would likely need to extend the city's main water line along Northwestern Ave.

Mayor Wilson said related to odors, it was discussed at the Planning Commission meeting on August 23rd that staff indicated that odor wouldn't be a problem with open-roof greenhouses because there were no neighbors. He expressed concern that there may be other businesses that are not cannabis related businesses and also there are a few residences in that area that are out of city limits that may be affected. He said odors do not need to simply be minimized but actually eliminated and staff needs to make sure of it rather than just talk about it.

Also, it needs to be clarified in the ordinance that the city has no wastewater services at the Sawmill Annexation area so perspective property owners and business entrepreneurs know that up front.

Community Development Director Caldwell commented that staff has already had that conversation with the perspective developers.

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Mayor Wilson said the last and probably the biggest thing to him is the effective date of the ordinance. He said at the June 21, 2016 meeting it was stated that the ordinance would only become effective with passage of a tax measure and he would like language added to say that the ordinance is only effective if a tax measure is approved by the electorate; if not, staff could start processing permits without any tax in place.

Community Development Director Caldwell agreed and said that is why staff was disappointed when the tax measure was not placed on the November ballot.

Mayor Wilson stated that his disappointment is that the ordinance didn't start by restricting cannabis related activities north of the river.

City Manager Knopp stated that he wanted to talk a little bit about the schedule for potential adoption of the ordinance. He said as discussed before, approval of a land use ordinance requires a simple majority vote of the council whereas; the tax which is a separate issue ultimately requires a 4/5 vote of the council.

He said on the topic of fees, they are generally to recover verifiable city costs; not something to generate money simply to place toward economic incentives or diversify the city's revenue base.

He commented that one example of a fee the city attorney mentioned was a lighting fee to increase lighting on Northwestern Ave. He said it isn't something that actually generates revenue for the city but helps to absorb and mitigate the costs the city could be paying to add additional lighting for security which is beneficial both for the project and the city.

In terms of cleaning up and making sure the city is able to enforce environmental laws and regulations, it is to protect the health and safety of the public and also these parcels. He said the current development proposals on the table will clean up legacy issues with chemicals on site that are far more noxious than some of the chemicals related to cannabis activities. He noted there is still a large amount of contaminated dirt (Brownfields site) that needs to be removed and trucked away and taken to special landfills and treated which is very costly.

He noted that the property owner, Dennis Wendt had talked about a potential sale of one of the parcels when the ordinance was voted down stating that his plan was to use part of the proceeds to do some of that clean up. He pointed out that probably the best method in terms of cleaning up these parcels is through development and economic growth. He noted that the developers basically pick up the tab and clean up those legacy issues and remove them for good which is single handedly the biggest boom for environmental and public health (other than taking care of 255 Wildwood Ave. which is another Brownfields site).

City Manager Knopp stated that the other important issue is the timeline for potential adoption of the ordinance. He said he understands there is a good possibility of having three votes in moving forward on the land use ordinance however; Mayor Pro Tem Johnson will not be available during the next two regular meetings. As such staff is recommending the ordinance be agenized for its second reading and potential adoption for the regular meeting of October 18, 2016.

In the meantime staff will be working on the fees in order to be able to come up with verifiable costs and make a good solid recommendation to the City Council. He pointed out that these fees are clearly an interim solution and simply a way to mitigate the impact to the city but no matter what the Council does and even if they decide to ban commercial cannabis activities, the city is still going to be left with the illegal trade and those associated costs. He said the only solution is to bring revenue into the city to help attract other tax paying businesses to help diversify the city's revenue stream; not just cannabis related businesses. Again, the only way to be able to do this is with a cannabis tax.

City Attorney Gans pointed out that two additional revisions were recommended; one of which was the Mayor's recommendation to define the Sawmill Annexation area for clarity.

He said the ordinance should probably also include some language and a provision on **Revocation by Operation of Law** meaning that the law is in flux enough at this juncture but theoretically based on some change at the state or federal level something could be deemed illegal in the future. He advised the Council to recite some general "revocation by operation of law" language should the permit be deemed to be in violation of state law or federal mandate.

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Basically the ordinance should anticipate any potential changes in state or federal law.

City Attorney Gans advised the Council to open public comment then entertain a motion to conduct the first reading of Ordinance No. 348-2016 and continue the second reading and potential adoption to the October 18, 2016 regular meeting provided there are no further comments by the Council.

Mayor Pro Tem Johnson stated that he finds no fault with the ordinance becoming effective 30 days after its approval under Section 4 as presented and said he would like that language to stay. He said there are people who have been coming to meetings for months that want to invest in our city and the Council needs to lead a clear path for them to be able to do that whether the city gets a tax dollar out of it or not. He added that they are willing to spend millions of dollars at a defunct sawmill site and bring in lots of employment for the city. They want to run a clean operation and the city should allow them to do that regardless if the city gets a buck out of it or not.

Mayor Wilson commented that in the original process the Council was trying to figure out how to repair streets and repair the city's general fund. Now the idea is to approve an ordinance and eventually down the road in 2017 or 2018 it would still have to be approved as a tax measure by the citizens of Rio Dell. He said if that were to fail, businesses would be allowed to continue to operate and all the money Rio Dell would receive would be from someone working over there, a business license fee, or any kind of administrative fees. He said that is irresponsible to what the City Council goal is. Also, to say that it is the only way to fix our city because it is the only door knocking and the income that's going to come in the form of \$2.7 million has been changed to tens of thousands of dollars in the form of revenue in the City's general fund. He said that to him, doesn't warrant the whole process.

Mayor Pro Tem Johnson commented that the city stands at losing investors if the Council doesn't act and allow them to build now.

Mayor Wilson said there needs to be other options other than the cannabis industry and if we are basing the city's economy on a recreational drug, we need to ask ourselves if this is what we want for Rio Dell. He added if the city loses

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investors because they can't get rich off of this boom and bust if it doesn't happen now then that's the way it is but he wants the activities tied to a tax.

Councilmember Garnes pointed out that the issue of the tax measure is a moot point since it's off the table until 2017 or 2018. She said what the Council is really talking about is businesses wanting to come to Rio Dell and invest in our city. She added that the Council has thrown insults to these investors and accused them of not telling the truth and has basically said everything but "welcome to Rio Dell, we want your business as long as you run an honest business." She pointed out that no one is going after the Dollar General for anything or any item they sell.

She said to say that we don't want these businesses when they have money to invest and to merely keep going back and forth is not right. She noted that these are business people and they don't have time to sit forever and wait for the Council to make up their mind. She said it is an insult to these gentlemen who have been here since December and to say "if you don't have the time to wait two more years to figure out what Rio Dell is going to do, then we don't want you" is offensive and an insult because they are simply trying to do business in the city. She said the bottom line is either they're going to be allowed or not but to keep dragging them along is wrong. Businesses are in business to make money and they can't make money sitting around waiting for months. She pointed out that there are other cities courting these gentlemen because they want to conduct business in a legal manner within the law.

She added that the City Council hasn't spent nearly enough time talking about all the illegal grows and all those things everyone is so consumed with. The Council has however, taken time to do the legal thing and tossed all that legal jargon their way and they're not trying to do anything illegal but simply trying to come into the city, follow the law and help the city and yes help themselves because that's capitalism; that's what they're supposed to do. They invest, the city gets money and they get more which is no different than the Dollar General who makes bank and the city gets very little. She said that's just the way it works. She went on to say that the Council shouldn't just say no and tell these investors to sit and wait and the Council will get back to them in a couple of years and if they don't like it, they don't like us. She said if the Council is going to try and move forward with this they need to stop villainizing these people who are trying to come in and do

something positive for the city. They are trying to do something good and the city should give them the mechanism to do it if possible.

She stated that all she is trying to say is that there are businesses interested in investing in Rio Dell and are trying to be downright upright and simply can't do anymore to prove to the city that they want to be good players. The City Council needs to give them the opportunity; it's no different than any other business at this point. She said because the tax measure is off the table at this point, all the Council can do is move forward with adoption of the ordinance. She said we have an ordinance and have investors and those two things should come together and for some reason this Council has pushed and fought and tried every way and every letter in the ordinance to push them away. She said she thinks the Council should look at the businesses and recognize that they are legal businesses trying to do the right thing and coming in to help the city. She said the Council should thank them for wanting to come to Rio Dell because the fact is that the city needs a little help.

Councilmember Thompson said he has no desire to wait to connect the land use ordinance with a tax measure. He said the council had the opportunity at a prior meeting to do so and didn't so he is prepared to make a motion after hearing from the public.

Community Development Director Caldwell commented that when the state issues their permits, those applicants that have their local licenses are given priority and that's why a lot of jurisdictions throughout the state in the last month or so have adopted ordinances. He noted that the state is limiting the number of permits for large grows and the number of permits for manufacturing facilities so it is in their best interest to get their local entitlement as soon as they can so they get cued up for the state license. He said these are \$4 or \$5 million projects so the city may not be getting the taxes estimated earlier but certainly the property tax is going to increase. He said because of the scale of the project, it's going to take them months and months once they get their drawings in and construction is completed. He said at the very least, we're probably looking at late 2017 or 2018 before they even get up and running.

He pointed out that the city would have an opportunity to call a special election in June should the council decide to do that for the electorate to consider a

cannabis tax measure. He said it is important for these folks that are interested to get some clear direction because like Councilmember Garnes mentioned, they are being courted by other jurisdictions and he personally would hate to lose them.

Mayor Wilson called for public comment on the proposed ordinance.

Scott Wheeler, 121 Northwestern Ave. addressed the Council and said he moved to the area 15 years ago from Oregon and said if you're not from here this area is much like the twilight zone; the area has gone through massive changes since he moved here.

He expressed concern about families and said he has a 5 year old and a 3 year old and there is a school bus stop at the north entrance of the Sawmill Annexation area near the former log deck. He said safety is also a concern if there is increased traffic. He said to turn and enter going south from the north entrance there's only the turn lane when coming from the north. He said coming out of there south will be a little dangerous.

He stated that if this is part of the Rio Dell annexation, he doesn't see the Rio Dell Police Department patrol there and the amount of punks that hang out there has increased. The other concern was the potential decrease in property values. He commented that the only good thing he heard was maybe putting in more lights there for security. He also commented on crime, dangerous chemicals and possible explosions. He said he does understand the idea of pushing these activities out of the city so they are basically out of sight; out of mind.

Michael Martino, principal investor of property at the Sawmill Annexation site stated that he thinks this is a great opportunity for Rio Dell. He said the Council brought up the issue of taxes not being part of this and said he would definitely get behind supporting a special election for a cannabis tax measure. He pointed out that when that passes the money can address illegal grow houses. Also, the city would perhaps be able to enroll in the PG&E program like Arcata did which pretty much eliminated most of the indoor grows because of the cost for electricity.

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He said by passing this ordinance, the city will also be getting rid of the bad actors because there will be businesses that want to pay taxes and want to be regulated. He said he also wanted to point out that his project will be built as environmentally friendly as possible and will actually benefit the environment by paying to help remove contamination that already exists at that site. Also, solar will be installed on all rooftops and a rain collection system for drought seasons. He said his plan is to have processing facilities operated on site and in a legal manner including employing 24 hour security personnel.

In closing he commented that he knows this activity will be a benefit to the community as more businesses mean more jobs and they will be employing local people who will shop here allowing the city to capture some of that money. He added that there is finally an opportunity for marijuana to be good for the community rather than a detriment and implored the City Council to adopt the Commercial Cannabis Land Use Ordinance as recommended.

Tom Bertain addressed the Council and read a written statement opposing to the adoption of a Medical Cannabis Ordinance in the city of Rio Dell. (Included as Attachment 1 to these minutes).

Julie Woodall stated that she thinks the land use ordinance as is should be passed with the addition of the "revocation by operation of law" provision as recommend by the City Attorney. She said she thinks the Council has gone about this for a long time and also thinks the Mayor is grandstanding and trying to delay any action until after the November election. She said now is a good time to take the first step to move forward with adoption of the ordinance.

Peggy Patmore addressed the Council and said she started a business here and had to be licensed and it took her about two years which is not an unreasonable amount of time. She said Rio Dell is a place where people live, a place where families live, there is a wonderful school here, and there are families who have come here and invested in homes here to have a safe place for their kids to grow up and she thinks that is what's most important. She commented that the citizens and families that have businesses and are creating new businesses here are the building blocks of the city. She said it is important to insure that people who live here feel safe and are safe and encouraged the Council to not be hasty in their decision. She noted that she is not saying to not

do it but to make sure everything is in order. She said the City has come a long way the last few years and the city looks nice and that's what makes people feel comfortable. She commented that it has been done by the little people who have stepped up and volunteered to do things. She said the city does need people investing in the community but so far it's pretty much been the little people coming together to help make a difference. She said the Council shouldn't be afraid of losing investors; any investor knows it takes time.

Dennis Wendt stated that he has not personally met Michael Martino but that he is interested in a 15 acre piece of his property in the Sawmill Annexation area. He said he has spent money every year on cleanup of the Brownfields site but without buyers he hasn't had time or money to get it completed. As far as Mr. Martino, he is probably in a better position to clean this up so his hope is that the Council will approve the first reading of the land use ordinance tonight and work toward getting some businesses established there. He noted that he had also listened to a presentation by Glen White and his investors and they are real business people. He said they naturally want to make money but they are also going to generate money for the city. He said he agrees with the cannabis tax and it is something that has to happen as the city is in dire straits. He said like Fortuna, redevelopment money has been taken away and the money just isn't there anymore. He said this is a way to take property and put in businesses that will benefit the city.

There being no further public comment, Mayor Wilson asked for direction to proceed.

City Manager Knopp explained the next step is to entertain a motion for the first reading of the ordinance and move the second reading and potential adoption to the regular meeting of October 18, 2016.

Community Development Director Caldwell suggested the Mayor ask if anyone else would like to comment as there may be those who were not aware they had to fill out a speaker card.

Mayor Wilson then called for further public comment.

Glen White addressed the Council and pointed out that time is of the essence as everything they need in order to move forward with their project is contingent upon the Council's action. He said there are investors backing the project which is a very high-tech professional facility. He said the design and engineering and all the permitting takes time and they anticipate it will probably be 2020 before they are in operation. He noted that the state will also have to come in and inspect. He said he and the other investors have put their backbone into this project and realistically it could take many months or even years for the city to see any revenue from this operation. He said their intent is for the production of medical cannabis and to market through medical facilities. If it eventually leads to recreational cannabis the city could generate a lot of money but wanted to point out that they are only looking at medical cannabis at this point. In closing, he reiterated that time is of the essence and urged the Council to move forward with adoption of the ordinance.

There being no further public comment, the public comment period was closed.

Councilmember Thompson stated that he has never spent so much time reading and studying a subject like this in his life. He said there are a lot of opposing statements on the issue but his goal from the beginning has that there be no outside grows in the city and to have everything north of the river in enclosed structures with no smell. He said the proposed ordinance does that.

Motion was made by Thompson/Johnson to introduce and conduct the first reading (by title only) of Ordinance No. 348-2016 establishing Medical Cannabis Commercial Land Use Regulations, Section 17.30.195 of the Rio Dell Municipal Code with the inclusion of "revocation by operation of law" provisions recommended by the City Attorney and continue the consideration, approval and adoption of the proposed Ordinance to the regular meeting of October 18, 2016. Also, to direct staff and legal counsel to look at potential fees including establishing a lighting fee associated with any potential development at the Sawmill Annexation site. Motion carried 4-1; Councilmember Marks dissenting.

Mayor Wilson called for a 5 minutes at this time, 8:30 p.m. at such time City Attorney Gans left the meeting.

The meeting reconvened at 8:35 p.m.

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Introduction and First Reading (by title only) of Ordinance No. 347-2016 amending Section 17.30.020, Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made

Community Development Director Caldwell provided a staff report and said staff has been approached by a number of people regarding the construction of detached accessory structures, particularly with the 15 foot height limitation. He said the proposed amendment was presented to the Planning Commission for consideration at their August 23, 2016 regular meeting. He said staff had recommended a maximum building height on lots larger than 20,000 square feet of 26 feet however; the Planning Commission recommended it be limited to a height of 20 feet in residential zones provided there is an exception process to allow greater heights with a Use Permit.

He stated that detached accessory buildings are allowed in residential zones, provided they are accessory to and subordinate to the principal use of the site and do not change the character of the principal residential use.

He said with regard to maximum gross floor area, the Planning Commission is recommending 1,000 square feet on lots 20,000 square feet or less, and 1,500 square feet on lots larger than 20,000 square feet.

Mayor Pro Tem Johnson commented about a detached structure in the Grayland Heights subdivision (Paul Plum residence) and said it appears to be at least 26 feet in height.

Community Development Director Caldwell noted the structure is a second dwelling unit and these provisions only apply to detached accessory structures; not second dwelling residential units.

Mayor Wilson opened the public hearing to receive public input on the proposed ordinance.

There was no public comment on the proposed ordinance however; Deborah Bare asked Councilmember Marks to apologize to Councilmember Garnes for rolling his eyes when she was speaking earlier.

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There being no further public comment, the public hearing was closed.

Motion was made by Johnson/Garnes to introduce and conduct first reading of Ordinance No. 347-2016 amending Section 17.30.020, Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made and to continue the second reading and possible adoption to the September 20, 2016 regular meeting. Motion carried 5-0.

Introduction and First Reading (by title only) of Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect referenced sections which were recently amended

Community Development Director Caldwell provided a brief staff report and explained this item involves a minor text amendment to clean up the language in the RDMC to accurately reflect referenced sections which were recently codified. He said in reviewing the Enforcement regulations staff discovered that Section 17.40.030 referred to two sections that were recodified to new section numbers. He said the two referenced sections actually refer to "Adult Entertainment" and "Camping." As such, the section numbers were changed to accurately reflect the referenced sections under 17.40.030 under ***Penalty***.

Mayor Wilson opened the public hearing to receive public input on the proposed ordinance. There being no public comment, the public hearing was closed.

Motion was made by Johnson/Thompson to introduce and conduct first reading (by title only) of Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RCMC) to accurately reflect the referenced sections and continue consideration and adoption of the proposed Ordinance to the September 20, 2016 regular meeting. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp provided a written staff report (Included as attachment 2 to these minutes) including updates on the countywide Measure 'U'; the Habitat for Humanity parcel; the bid procedures for the 2016-2017 paving project; EV charging station; the river bar cleanup; Public Works staffing; code enforcement;

electronic sign; AB723; and announced the date for the Annual E-Waste Day as Saturday, September 17th.

Finance Director Woodcox stated that she had nothing to report at this time.

Community Development Director Caldwell reported on recent activities in the community development department and said the next regular Planning Commission meeting is scheduled for September 27th at such time the Commission will be discussing provisions for cargo containers in residential zones. He said the Planning Commission discussed the issue briefly at the last meeting and seemed poised to recommend eliminating the use of cargo containers in residential zones. Staff suggested reaching out to those residents using cargo containers for storage and let them know this is going to be a topic of discussion so they can provide input.

Other potential agenda items included a lot line adjustment for Dennis Wendt at the Sawmill Annexation site; Teasley Subdivision extension; the Safety Element and possibly the Noise Element. He noted that the Safety has not been updated since around 1972 and once that is updated all seven (7) of the elements of the General Plan will be current with state law.

He also announced there will be a Bureau of Medical Marijuana Regulation (BMMR) workshop taking place in Redding on September 19th that he plans on attending as well as a Medical Cannabis Cultivation Program workshop in Eureka on September 15th put on by the California Department of Food & Agriculture at the Red Lion Hotel.

Community Development Director Caldwell also reported that staff has been pretty busy on the Building Department side and issuing a lot of permits which is good.

City Manager Knopp encouraged any councilmembers interested in attending the workshop in Eureka to do so if possible.

COUNCIL REPORTS/COMMUNICATIONS

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Mayor Pro Tem Johnson announced that the League of California Cities quarterly meeting held in Arcata on August 19, 2016 was very well attended. He said there was a tour of four of the different areas where major investments have been made toward homeless efforts and between the City and private, investments have approached well over \$10 million. He noted that Arcata is doing a lot to get the homeless into homes and the range of locations toured were from a trailer park to a converted motel to probably one of the biggest showcases which was the former P.C. Sacchi auto dealership. He said the bottom floor is now commercial and the top floors are residential and people now live there with a subsidy which is getting the homeless off the streets.

He said that several people who toured the sites made comments that they were pretty unsympathetic to the homeless until they took the tour. He said if anyone wants to see what a city is doing successfully for the homeless they need to contact Arcata and they will be happy to show what they have done.

He also reported that Councilmember Thompson will be attending the next HCAOG Board meeting in his absence and Mark Wheetly, his alternate will be attending the next LAFCo meeting.

Mayor Wilson reported on his attendance at the last RREDC meeting and said there was a lot of good information related to biomass and what the CCA Program has available.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 9:10 p.m. to the September 20, 2016 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Check/Payment</u>
4982	8/04/2016 [6038]	ACCURATE TERMITE & PEST SOLUTIONS	MONTHLY RODENT PEST CONTROL @ 475 HILLTOP	245.00
4983	8/04/2016 [5235]	ADVANTAGE FINANCIAL SERVICES	DOCSTAR 3.12 SOFTWARE PACKAGE	343.43
4984	8/04/2016 [3206]	CALIFORNIA POLICE CHIEFS ASSOCIATION	ANNUAL MEMBERSHIP DUES 7/2016 THROUGH 6/2017	331.00
4985	8/04/2016 [2303]	COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 7/22/16	120.00
4986	8/04/2016 [4491]	CODE PUBLISHING, INC	RIO DELL MUNICIPAL CODE SUPPLEMENT UPDATE #6,	2,742.75
4987	8/04/2016 [2928]	DAN COLLINGS TREE SERVICE	REMOVE WALNUT TREE @ 251 MONUMENT RD; REMOVE	2,200.00
4988	8/04/2016 [2366]	EEL RIVER DISPOSAL INC	GARBAGE BAGS FOR JULY 2016	377.15
4989	8/04/2016 [2396]	FERNBRIDGE TRACTOR & EQUIPMENT CO.,	REPAIRS TO JD DIESEL FRONT RIDING MOWER	3,056.55
4990	8/04/2016 [2407]	FORBUSCO LUMBER	EIGHT 50# POST CRETE MIX	47.17
4991	8/04/2016 [5808]	GRAVES, DUSTIN	CUSTOMER DEPOSIT REFUND	121.35
4992	8/04/2016 [2501]	HAJOCA CORPORATION	TWO - DIXON PPB200 2 MPTXFEM POLYPRO TYPE B C	30.28
4993	8/04/2016 [2447]	HILFIKER PIPE CO.	REPLACE PICNIC TABLE @ MEMORIAL PARK	1,566.00
4994	8/04/2016 [2691]	HUMBOLDT SENIOR RESOURCE	TRANSPORTATION FUNDS FY 2016/2017	6,500.00
4995	8/04/2016 [2465]	HUMBOLDT TRANSIT AUTHORITY	TDA MEMBER ASSESSMENT RTS FY 2016-2017	41,865.00
4996	8/04/2016 [5689]	MENDES SUPPLY COMPANY	TWO CASES EACH TOILET TISSUE & PAPER TOWELS	247.14
4997	8/04/2016 [2551]	MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR JULY 2016	1,000.00
4998	8/04/2016 [4908]	MITCHELL BRISSO DELANEY & VRIEZE	LEGAL SERVICES FOR JULY 2016	6,998.74
4999	8/04/2016 [3484]	NATIONAL METER & AUTOMATION, INC	CABLE FOR HANDHELD METER READER	222.99
5000	8/04/2016 [4393]	NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR AUGUST 15, 2016 THROU	1,120.00
5001	8/04/2016 [2659]	RIO DELL PETTY CASH	DISH SOAP; CLOROX; ENVELOPES FOR DROP BOX	6.81
5002	8/04/2016 [2742]	SCOTIA TRUE VALUE HARDWARE	ONE - 1" BRASS TEE	15.17
5003	8/04/2016 [4525]	SHERLOCK RECORDS MGMT	STORAGE SERVICE, BOX RETRIEVAL & ACCESSION FE	138.34
5004	8/04/2016 [2710]	STARPAGE	PAGING SERVICE FOR AUGUST 2016	12.95
5005	8/04/2016 [2319]	SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICE 8/1/16 - 8/31/16	260.75
5006	8/04/2016 [2481]	VANTAGEPOINT TRANSFER AGENTS-30A261	RETIREMENT FOR 7/22/16	

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

5007	8/04/2016 [2772]	WENDT CONSTRUCTION, INC	WATER LEAK REPAIRS ON IRELAND ST	902.50
5008	8/04/2016 [2779]	WILDWOOD SAW	THREE STIHL PREMIUM TRIMMER LINES; 3 LB DIAMO	1,460.67
5009	8/11/2016 [0576]	101 AUTO PARTS	TWO HOSE CLAMPS	137.38
5010	8/11/2016 [3975]	AT&T - 5709	PHONE EXPENSES FOR JULY 2016	446.71
5011	8/11/2016 [2293]	CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR AUGUST 2016	2,075.00
5012	8/11/2016 [2302]	CLYDE'S TOWING, INC.	VEHICLE ABATEMENT TOWING	600.00
5013	8/11/2016 [5127]	DELTA DENTAL	DENTAL INSURANCE FOR SEPTEMBER 2016	1,920.00
5014	8/11/2016 [3385]	EVANS MECHANICAL (1)	CLEAN ALL AC UNITS & CHANGE ALL FILTERS	596.61
5015	8/11/2016 [2501]	HAJOCA CORPORATION	TAP BLIND FLNG; ELBOW; NUT BOLT KIT; FULL FAC	526.31
5016	8/11/2016 [5932]	HIGH ROCK CONSERVATION CAMP	PROFESSIONAL SERVICE FOR BRUSH REMOVAL; EDWAR	2,100.00
5017	8/11/2016 [5942]	KEENAN & ASSOCIATES	HEALTH INSURANCE FOR SEPTEMBER 2016	13,754.34
5018	8/11/2016 [4360]	MODERN MARKETING, INC	DRUG TEST POUCHES	401.98
5019	8/11/2016 [2569]	NORTH COAST LABORATORIES, INC.	WASTEWATER LAB TESTING FOR PERMIT RENEWAL - R	11,408.00
5020	8/11/2016 [2603]	PG&E	UTILITY EXPENSES FOR JULY 2016	18,316.20
5021	8/11/2016 [4338]	QUILL CORPORATION	XEROX BLACK & MAGENTA PHASER TONER CARTRIDGES	287.66
5022	8/11/2016 [3032]	RENDEZVOUS MUSIC & VENDING	COFFEE	63.00
5023	8/11/2016 [2664]	ROGERS MACHINERY INC	SERVICE REPAIRS TO SHOP COMPRESSOR	438.15
5024	8/11/2016 [5380]	SCOTT MOORE TRUCKING DBA SPRING	TRUCKING/FREIGHT SERVICE; DUMP TRUCK/TRANSFER	776.39
5025	8/11/2016 [2693]	SHELTON'S AUTO LUBE	FULL OIL CHANGE SERVICE FOR 2007 FORD CROWN V	57.06
5026	8/11/2016 [2319]	SUDDENLINK COMMUNICATIONS	INTERNET SERVICE 8/10/16 - 9/9/16	134.95
5027	8/11/2016 [6037]	WELLS FARGO VENDOR FIN SERV	XEROX COPIER PAYMENT FOR AUGUST 2016	482.13
5028	8/17/2016 [5381]	ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPY CHARGES FOR JULY 2	981.57
5029	8/17/2016 [4295]	AMBROSINI & SONS ELECTRIC, INC	WIRE LED SIGN AT NORTH END OF TOWN	2,460.00
5030	8/17/2016 [2237]	BANK OF AMERICA BUSINESS CARD	NITERIDER TECH LIGHTING - REPLACEMENT BATTERY	1,491.39
5031	8/17/2016 [5308]	BARTLE WELLS ASSOCIATES	ATTEND COUNCIL MEETING FOR ONGOING SEWER RATE	1,300.00
5032	8/17/2016 [2303]	COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 8/15/16	120.00

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

5034	8/17/2016 [5269]	MOBILE DIESEL REPAIR	CAT GENERATOR SERVICE - CHANGE OIL; REPLACE A	1,693.26
5035	8/17/2016 [5934]	NORTH COAST JOURNAL	ADVERTISEMENT FOR EMPLOYMENT FOR UTILITY WORK	88.00
5036	8/17/2016 [2569]	NORTH COAST LABORATORIES, INC.	AMMONIA NITROGEN W/O DISTILLATION; NITRATE AN	236.00
5037	8/17/2016 [3343]	PITNEY BOWES RESERVE ACCOUNT	POSTAGE PURCHASE FOR RESERVE	400.00
5038	8/17/2016 [4338]	QUILL CORPORATION	SAMSUNG TONER CARTRIDGE	119.77
5039	8/17/2016 [2742]	SCOTIA TRUE VALUE HARDWARE	3" PAINT ROLLER & TRAY; ONE QT RED MAHOG WD F	112.32
5040	8/17/2016 [2694]	SHELL OIL CO.	PD FUEL EXPENSES FOR JULY 2016	1,875.48
5041	8/17/2016 [2481]	VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 8/5/16	5,080.58
5042	8/17/2016 [2779]	WILDWOOD SAW	STIHL FS240 LOOP HANDLE LINE TRIMMER	590.71
5043	8/17/2016 [2787]	WYCKOFF'S	TWO ABS ADAPTER BUSHINGS	6.39
5044	8/24/2016 [5750]	AERO-MOD	TWO FEED HOPPER INLAYS FOR ELT TO REPAIR CAKE	1,940.47
5045	8/24/2016 [4938]	BANDERA USA	VALVE; BULKHEAD FITTING	64.78
5046	8/24/2016 [5330]	CAPITAL ONE COMMERCIAL	POST-IT NOTEPADS; 40 PK aa BATTERIES; HOT CUP	45.42
5047	8/24/2016 [2103]	JOHN R CHICORA JR	REIMBURSEMENT FOR OVERPAYMENT OF DEPENDENT IN	333.66
5048	8/24/2016 [6027]	DE NORA WATER TECHNOLOGIES INC	PARTS TO REPAIR CHLORINE GENERATOR	1,902.72
5049	8/24/2016 [2411]	DEARBORN NATIONAL LIFE INSURANCE	LIFE INSURANCE FOR SEPTEMBER 2016	216.00
5050	8/24/2016 [2405]	FORTUNA ACE HARDWARE	MISC PARTS/FITTINGS FOR CHLORINE GENERATOR P	304.82
5051	8/24/2016 [5052]	GHD, INC	ENGINEERING SERVICES FOR FOLLOW UP ON CWSRF A	1,566.50
5052	8/24/2016 [2570]	NILSEN COMPANY	126 40# BAGS SOLAR SALT	659.99
5053	8/24/2016 [2569]	NORTH COAST LABORATORIES, INC.	AMMONIA NITROGEN W/O DISTILLATION; BIOCHEMICA	270.00
5054	8/24/2016 [5253]	REGAL FORMS	APPEARANCE TICKETS	675.00
5055	8/24/2016 [2742]	SCOTIA TRUE VALUE HARDWARE	TUBING, BUSHINGS & ADAPTERS FOR CHLORINE GENER	23.85
5057	8/24/2016 [2787]	WYCKOFF'S	PVC PIPE, ADAPTERS & CLAMPS FOR CHLORINE GENER	341.93
5058	8/29/2016 [2225]	AQUA SIERRA CONTROLS, INC	PROVIDE CUSTOM PROGRAMMING TO SCADA	790.00
5059	8/29/2016 [3975]	AT&T - 5709	U-VERSE INTERNET SERVICE 7/16/16 - 8/15/16	65.91
60	8/29/2016 [2303]	COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 08/19/16	120.00
61	8/29/2016 [2148]	COMMUNITY DEVELOPMENT		

CITY OF RIO DELL

CHECK REGISTER

General Checking - US Bank of California

5062	8/29/2016 [2386]	EUREKA RUBBER STAMP CO.	4 - 3/4X3 PLATES; 3 - 2X10 NAME PLATES; 1 - 3	106.90
5063	8/29/2016 [2405]	FORTUNA ACE HARDWARE	PLUMBING TUBING FOR GENERATOR PIPING	64.48
5064	8/29/2016 [5380]	SCOTT MOORE TRUCKING DBA SPRING	TRUCKING FOR 12.57 TONS OF 1/2" SC 250 ASPHAL	484.28
5065	8/29/2016 [3372]	SPECIALTY TRAFFIC SYSTEMS	THREE SAFETY VESTS	67.26
5066	8/29/2016 [2319]	SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICE 9/1/16 - 9/30/16	260.58
5067	8/29/2016 [2481]	VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 8/19/16	5,064.30
5068	8/29/2016 [5166]	VSP-VISION SERVICE PLAN	VISION INSURANCE FOR SEPTEMBER 2016	290.80
5069	8/29/2016 [2787]	WYCKOFF'S	MISC PLUMBING PARTS FOR GENERATOR PIPING	69.60
5070	8/31/2016 [2757]	US POSTMASTER	POSTAGE FOR UTILITY BILLS FOR THE MONTH OF AUG	359.61
Total Checks/Deposits				164,213.27
9424145	8/12/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC FOR AUGUST 2016.	335.70
796-672	8/17/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR FINAL CHECK	30.75
378-752	8/01/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 07/22/2016	1,642.14
527-936	8/15/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 08/05/2016	1,785.56
335-744	8/29/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 08/19/2016	1,664.16
885709	8/17/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR FINAL CHECK	327.70
2006490	8/01/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 07/22/2016	10,560.00
672052	8/15/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 08/05/2016	11,089.38
465883	8/29/2016	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 08/19/2016	10,591.86
Total EFT's/Bank Withdrawals				38,027.25
TRX TO PR	8/09/2016	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 08/05/2016	26,771.49
TRX TO PR	8/17/2016	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR FINAL CHECK	1,058.33
TRX TO PR	8/23/2016	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 08/19/2016	25,697.69
Total Transfer Between Accounts				53,527.51

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



September 20, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action on the Metropolitan Wells Project.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

It is recommended that the City Council:

1. Authorize staff to sign the funding agreement with the SWRCB to secure \$665,876 in grant funds
2. Authorize staff to issue of notice of award once the SWRCB funding agreement is issued by the State
3. Authorize staff to issue the project notice to proceed once the notice of award had been returned with the signed contract and appropriate bonds and insurance documentation
4. Authorize staff to execute a construction management contract with GHD in the amount of \$203,500, the grant budgeted allocation

BACKGROUND AND DISCUSSION

The Council last received an update on the Metropolitan Wells Project on July 19, 2016. The purpose of this agenda item is to give the Council the option to expedite action and construction on the project to help counter delays caused by the longer than expected processing of the City's grant paperwork.

The State Water Resource Control Board (SWRCB) is still processing the funding agreement for the last piece of financing for the Metropolitan Wells Project to move forward. If the SWRCB funds come through as described, it is important that the City proceed as quickly as possible to the next steps to allow construction to occur, hopefully before major rains hit the region. If the SWRCB funding agreement is materially altered from what staff has reported to the Council (\$665,876), we will return to the Council for further direction.

Alternatively, the Council can direct staff to wait for the funding agreement to be received by the SWRCB and presented to the Council before authorization is given.

///



Memorandum

15 September 2016

To	Kyle Knopp		
Copy to	Steve McHaney, GHD		
From	Rebecca Crow, PE	Tel	707-267-2244
Subject	Metropolitan Wells Projects Bid Award Recommendation	Job no.	11109193

As you are aware, the State Water Resources Control Board (SWRCB) is close to issuing a funding agreement for Drinking Water State Revolving Funds (DWSRF) grant dollars to cover the projected costs of the Metropolitan Wells project that are not covered by the Department of Water Resources (DWR) Proposition 84 and USDA Emergency Community Water Assistance Grant (ECWAG), and required City match for the ECWAG of \$57,000. All approvals for the funding have been obtained and the SWRCB is processing the City's funding agreement. The issuance of the funding agreement from the SWRCB is the last piece needed for the City to be able to issue the notice of award on the construction project. The sections below detail the project bid results, project costs, and recommended next steps.

Bid Results

The City opened bid for the project on June 16, 2016. Table 1 below summarizes the bids received. The lowest responsive responsible bidder was Wahlund Construction. Wahlund's bid documents have been reviewed by GHD and also reviewed and approved by both the SWRCB and USDA Rural Development. The bid is attached to this memo for reference.

Table 1: Summary of Metropolitan Wells Bid Results

Contractor	Total Base Bid	Total Additive Bid	Total Bid*
GR Sundberg	\$1,273,000	\$360,250	\$1,633,250
Mercer-Fraser Company	\$1,043,000	\$370,000	\$1,413,000
Wahlund Construction	\$1,037,662	\$296,700	\$1,375,900

*Per the bidding requirements, the Apparent Low Bidder shall be determined based on the Total Bid (Total Base Bid plus Total Additive Bid)

The total bid included some redundant items which could have been substituted to reduce project costs if there was not funding for the full project. However, with the addition of the DWSRF funds, the City can pursue the full project. The final additive items that are included in the project are the paved driveway (Item A-1), double vessel greensand 300 gallon per minute greensand filters (Item A-3), serpentine chlorine contact pipe (Item A-4), and geotextile fabric in the subgrade (Item A-5). The next section of this memo reviews the project budget including total project costs and funding sources.

Project Budget

The full project budget including the construction base bid and recommended additive items are show in Table 2 below. This budget includes all construction costs, including a 10% contingency, previously completed work on the monitoring wells, project administration and planning, including allowances for City staff time, design and bidding costs and construction management costs.

Table 2: Metropolitan Wells Project Budget

Item	Budget
Construction: Base Bid	\$1,079,200
Construction: Recommended Additive Items	\$223,700
Construction Contingency	\$130,290
Completed Monitoring well Construction	\$53,946
Project Admin and Planning	\$68,140
Design and Bidding	\$120,300
Construction Management	\$203,500
Total Budget	\$1,879,076

Table 3 details the funding breakdown. As can be seen in Table 3 with the addition of the DWSRF funds, all project costs area covered, with the City's share at less than 4% of the total costs.

Table 3: Metropolitan Wells Project Funding Breakdown by Source

Funding Source	Budget
DWR Prop 84 Grant	\$ 783,000
ECWAG	\$ 373,200
DWSRF (In process)	\$ 665,876
City Contribution	\$ 57,000
Total	\$1,879,076

Recommended Next Steps

Discussions with the SWRCB indicate that the City should be receiving the issued funding agreement in the next several weeks. It is important that the City complete the contracting process with Wahlund and issue the project notice to proceed as soon as possible to get construction underway before the rainy season comes. It is recommended that the City Council authorize the City Manager to sign the funding agreement with the

SWRCB to secure \$665,876 in grant funds. Further, it is recommended that the City Council authorize the City Manager to issue of notice of award once the SWRCB funding agreement is issued by the State. It is also recommended that the City Council authorize the City Manager to issue the project notice to proceed once the notice of award had been returned with the signed contract and appropriate bonds and insurance documentation. Lastly it is recommended that the City Council Authorize the City Manager to execute a construction management contract with GHD in the amount of \$203,500, the grant budgeted allocation. The Construction Management Contract will be reviewed by USDA prior to being signed by the City.

With the City Council's authorization to proceed on the items discussed above the City will be positioned to start construction on the Metropolitan Wells Project as soon as the administrative paperwork is completed.

Regards



Rebecca Crow
City Engineer

BID FORM

City of Rio Dell Metropolitan Wells Redevelopment Project

TABLE OF ARTICLES

- Article 1 - Bid Recipient
- Article 2 - Bidder's Acknowledgments
- Article 3 - Bidder's Representations
- Article 4 - Bidder's Certification
- Article 5 - Basis of Bid
- Article 6 - Time of Completion
- Article 7 - Attachments to Bid
- Article 8 - Defined Terms
- Article 9 - Bid Submittal

ARTICLE 1- BID RECIPIENT

1.01 This Bid is submitted to: City of Rio Dell

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2- BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 120 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3- BIDDER'S REPRESENTATIONS

In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged.

Addendum No.	Addendum Date
<u>1</u>	<u>6/3/16</u>
<u>2</u>	<u>6/10/16</u>
<u>3</u>	<u>6/13/16</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all Federal, State and local Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in SC-4.02, and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."
- E. Bidder has considered the information known to Bidder, information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that any further examinations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4- BIDDER'S CERTIFICATION

4.01 Bidder further represents that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process.
2. "fraudulent practice" means an intentional misrepresentation of facts made to (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5- BASIS OF BID

5.01 BASE BID

Bidder will complete the Work described in the Contract Documents for the following unit prices or lump sum. Bids shall include sales tax and all other applicable taxes and fees.

BASE BID SCHEDULE

Item No.	Description	Est. Qty.	Unit	Unit Cost	Total
1.	Mobilization/Demobilization	1	LS	52,000	52,000
2.	Construction Staking	1	LS	5000	5,000
3.	Shoring and Trench Safety	1	LS	1000	1000
4.	Erosion and Sediment Control	1	LS	2000	2000
5.	Demolition/Removal/Disposal	1	LS	12,000	12,000
6.	Clearing/Grubbing, Site Grading, and Percolation Pond Construction	1	LS	22,000	22,000
7.	Destruction of Existing Wells	1	LS	5700	5700
8.	Well #1 Equipment, Piping, and Appurtenances	1	LS	20,000	20,000
9.	Well #3 Equipment, Piping, and Appurtenances	1	LS	17500	17500
10.	Chlorination Equipment and Eye Wash Station	1	LS	17,000	17,000
11.	Slabs and Fiberglass Housings for Wells and Chlorination Equipment	1	LS	50,000	50,000
12.	Perimeter Fencing and Gate	1	LS	15,000	15,000
13.	Electrical and Controls System	1	LS	250,000	250,000
14.	Single Vessel Greensand Filter Packaged Water Treatment System at 300 gpm	1	LS	31,000	31,000
15.	CMU Treatment and Controls Building	1	LS	170,000	170,000
16.	Clear Well Booster Pumps and Motors	2	EA	43,000	86,000
17.	Site Piping, Valves, and Appurtenances	1	LS	15,000	15,000
18.	Site Gravel	1	LS	11,000	11,000
19.	Gravel Driveway	1	LS	13,000	13,000
20.	Clear Well Cleaning, Disinfection, and Recoating	1	LS	5,000	5,000

TOTAL OF BASE BID

(S 1,037,662⁰⁰)

TOTAL OF BASE BID IN WORDS (\$ ONE MILLION THIRTY SEVEN THOUSAND SIX HUNDRED SIXTY TWO DOLLARS)

All specified cash allowances are included in the price(s) set forth above and have been computed in accordance with Paragraph 11.02 of the General Conditions

5.02 ADDITIVE BID

The Base Bid Schedule includes Line Item 14 (Single Vessel Greensand Filter Packaged Water Treatment System at 300 gpm). However, after evaluating the bids that are received, the Owner may decide that a Double Vessel Greensand Filter Packaged Water Treatment System may be more appropriate. In this case, either Additive Bid Item A-2 or A-3 would be constructed in lieu of Base Bid Item 14. The Contractor's costs given below for A-2 and A-3 should include only the additional cost above the base Item 14 for installing a Double Vessel Treatment System as opposed to a Single Vessel Treatment System. If any additive item is awarded, the contract would be for the base bid value plus the corresponding additive bid value.

Item No.	Description	Est. Qty.	Unit	Unit Additive Cost	Total Additive Cost
A-1	Paved Driveway	1	LS	11,000 ⁻	11,000 ⁻
A-2	Double Vessel Greensand Filter Packaged Water Treatment System at 200 gpm each vessel (difference in cost from Base Bid Item 14)	1	LS	73,000 ⁻	73,000 ⁻
A-3	Double Vessel Greensand Filter Packaged Water Treatment System at 300 gpm each vessel (difference in cost from Base Bid Item 14)	1	LS	116,000 ⁻	116,000 ⁻
A-4	Serpentine Chlorine Contact Pipe	1	LS	88,000 ⁻	88,000 ⁻
A-5	Woven Geotextile Fabric Under Site Gravel and Driveway	1	LS	8,700 ⁻	8,700 ⁻

TOTAL OF ADDITIVE BID

(S 296,700⁻)

TOTAL OF ADDITIVE BID IN WORDS (S TWO HUNDRED NINETY SIX THOUSAND SEVEN HUNDRED DOLLARS)

TOTAL BID (Total Base Bid Plus Total Additive Bid)

(S 1,375,900⁻)

TOTAL OF BID IN WORDS (S ONE MILLION THREE HUNDRED SEVENTY FIVE THOUSAND NINE HUNDRED DOLLARS) KCM

Low Bidder shall be determined based on the TOTAL BID (total base bid plus total additive bid). The Owner reserves the right to award the Base Bid plus any or all Additive Bid items in quantities required.

ARTICLE 6- TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7- ATTACHMENTS TO THIS BID

7.01 The following documents are attached to and made a condition of this Bid:

- A. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) or Certified Check;
- B. If Bid amount exceeds \$10,000, signed Compliance Statement/Certifications of Nonsegregated Facilities RD 400-6). Refer to specific equal opportunity requirements set forth in the Supplementary Conditions;
- C. If Bid amount exceeds \$25,000, signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tiered Covered Transactions (AD-1048);
- D. If Bid amount exceeds \$100,000, signed RD Instruction 1940-Q, Exhibit A-1, Certification for Contracts, Grant, and Loans. Refer to paragraph 18.11 of the General Conditions;
- E. Non-Collusion Affidavit;
- F. Workers Compensation Certification;
- G. List of Subcontractors
- H. American Iron and Steel Requirement Certification
- I. Authority to Sign Bid Proposal (if applicable)
- J. Power of Attorney
- K. Disadvantaged Business Enterprise Documentation. Refer to Section 00495 for more information.

ARTICLE 8- DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9- BID SUBMITTAL

9.01 This Bid is submitted by: Wahlund Construction, Inc.
Bidder's Business address: 830 Hilma Dr.
Eureka, CA 95503
Phone: (707) 268-0150 Facsimile: (707) 268-0137
Submitted on June 16th, 20 16.
State Contractor License No. 678993
Employer's Tax ID No. 68-0388471

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner – attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: Wahlund Construction, Inc (SEAL)

State of Incorporation: CA

Type (General Business, Professional, Service, Limited Liability): General Business

By: [Signature]
(Signature – attach evidence of authority to sign)

Name (typed or printed): Ken Wahlund

Title: President

Attest: Kelly G. Wahlund
(Signature of Corporate Secretary)

Date of Qualification to do business in California is 6/18/96.

A Joint Venture

Name of Joint Venturer: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

(Public Contract Code Section 7106)

County of Humboldt
Kelly A. Wahlund

By Kelly C. Wahlund
Subscribed and sworn to before me on 6/16/16
(date)

Subscribed and sworn to before me on 6/16/16
(date)

(Notary Public)

See Attached Jural (SEAL)

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

 Signature of Document Signer No. 1

 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Humboldt

Subscribed and sworn to (or affirmed) before me

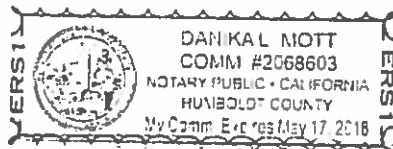
on this 16th day of June, 2016
 by Date Month Year

(1) Kelly A. Wahlund

(and (2) _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature [Signature]
 Signature of Notary Public



Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

WAHLUND CONSTRUCTION, INC.
830 HILMA DRIVE
EUREKA, CA. 95503

SURETY (Name, and Address of Principal Place of Business):

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
100 CALIFORNIA STREET, SUITE 300
SAN FRANCISCO, CA. 94111

OWNER: City of Rio Dell, 675 Wildwood Avenue, Rio Dell, CA 95562

BID

Bid Due Date: 06/16/2016

Description: Metropolitan Wells Redevelopment Project, Rio Dell, CA

BOND

Bond Number: N/A

Date: 06/15/2016

Penal sum TEN PERCENT OF THE AMOUNT OF THE BID \$ 10%

(Words)

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

WAHLUND CONSTRUCTION, INC. (Seal)

Bidder's Name and Corporate Seal

SURETY TRAVELERS CASUALTY AND

SURETY COMPANY OF AMERICA (Seal)

Surety's Name and Corporate Seal

By:

Ken Wahlund
Signature

By:

Danika L. Mott
Signature (Attach Power of Attorney)

Ken Wahlund
Print Name

DANIKA L. MOTT
Print Name

President
Title

ATTORNEY IN FACT
Title

Attest:

[Signature]
Signature

Attest:

[Signature]
Signature

Title Office Manager

Title COMMERCIAL LINES MANAGER

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to Issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Humboldt

On June 15th, 2016 before me, Lela Ann Wheeler, Notary Public

Date

Here Insert Name and Title of the Officer

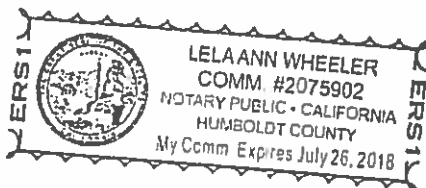
personally appeared Danika L. Mott

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lela Ann Wheeler
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

TRAVELERS**POWER OF ATTORNEY**

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 230085

Certificate No. 006584532

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Danika L. Mott, Toni Farrar, and Maurice O. Shaw Jr.

of the City of Eureka, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 26th day of October, 2015.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: Robert L. Raney

Robert L. Raney, Senior Vice President

On this the 26th day of October, 2015, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2016.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

COMPLIANCE STATEMENT

This statement relates to a proposed contract with the City of Rio Dell for the Metropolitan Wells Redevelopment Project who expects to finance the contract with assistance from either the Rural Housing Service (RHS), Rural Business-Cooperative Service (RBS), or the Rural Utilities Service (RUS) or their successor agencies, United States Department of Agriculture (whether by a loan, grant, loan insurance, guarantee, or other form of financial assistance). I am the undersigned bidder or prospective contractor. I represent that:

1. I ☒ have, ☐ have not, participated in a previous contract or subcontract subject to Executive Order 11246 (regarding equal employment opportunity) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I ☒ have, ☐ have not, filed all compliance reports that I have been required to file in connection with the contract or subcontract.

If the proposed contract is for \$50,000 or more and I have 50 or more employees, I also represent that:

3. I ☐ have, ☐ have not, previously had contracts subject to the written affirmative action program requirements of the Secretary of Labor.
4. If I have participated in such a contract or subcontract, I ☐ have, ☐ have not, developed and placed on file at each establishment affirmative action programs as required by the rules and regulations of the Secretary of Labor.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an arrangement regarding such reports that is satisfactory to either the RHS, RBS, or RUS, or to the office where the reports are required to be filed.

I also certify that I do not maintain or provide for my employees any segregated facilities at any of my establishments, and that I do not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I certify further that I will not maintain or provide for my employees any segregated facilities at any of my establishments, and that I will not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I agree that a breach of this certification is a violation of the Equal Opportunity clause in my contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. I further agree that (except where I have obtained identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that I will retain such certifications in my files; and that I will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods): (See Reverse).

RD 400-6 (Rev. 12-09)

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS
FOR
CERTIFICATIONS OF NON-SEGREGATED FACILITIES**

A certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date: 6/16/16



Signature of Bidder or Prospective Contractor

830 Hilma Dr., Eureka, CA 95503
Address (including Zip Code)

U.S. DEPARTMENT OF AGRICULTURE

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in This certification, such prospective participant shall attach an explanation to this proposal.

Wahlund Construction, Inc. Rio Dell Metro Wells Redevelopment Project
Organization Name PR/Award Number or Project Name

Ken Wahlund, President
Name(s) and Title(s) of Authorized Representative(s)

 6/16/16
Signature(s) Date

Form AD-1048 (1/92)

Instructions for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principles. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly entered into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Form AD-1048 (1/92)

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Ken Wahlund
(Name)

6/16/16
(Date)

President
(Title)

(08-21-91) PN 171

CONTRACTOR'S CERTIFICATION REGARDING WORKERS'
COMPENSATION INSURANCE

State of California

County of Humboldt

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Wahlund Construction, Inc.
(Name of Contractor)

by: Ken Wahlund


(Signature of Contractor)

Date: 6/16/16

LIST OF SUBCONTRACTORS

NOTE: In accordance with Supplementary Condition SC-6.0611- the Contractor shall not award work valued at more than fifty percent (50%) of the Contract Price to Subcontractors without prior written approval of the Owner.

Work to be Performed	Percent of Total Contract	Subcontractor's Name and Location of Place of Business
CMU Building	9.0	Seppia Const. Specialties PO Box 6061 Eureka, CA 95501
Fencing	^{KW} 1.0	Humboldt Fence 564 HWY 36 Fortuna, CA 95540
Electrical	24	Colburn Electric PO Box 3667 Eureka, CA 95502-3667

(Add additional sheets if necessary)

BIDDER: Wahlund Construction, Inc Per Wahlund

Date: 6/16/16

AMERICAN IRON AND STEEL REQUIREMENT CERTIFICATION

The Contractor acknowledges to and for the benefit of the City of Rio Dell "Purchaser" and the State of California "State" that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contractor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney's fees) incurred by the Purchaser or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Purchaser). While the Contractor has no direct contractual privity with the State, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the State.

CONTRACT PROVISIONS RELATIVE TO THE UTILIZATION OF DISADVANTAGED BUSINESS ENTERPRISE

Compliance with the requirements of this document and attachments satisfies the Disadvantaged Business Enterprise (DBE) requirements for this construction contract. Failure to take the six (6) affirmative steps listed under Good Faith Effort Requirements, prior to bid opening and to submit EPA Form 6100-3 Disadvantaged Business Enterprise Program DBE Subcontractor Performance Form and EPA Form 6100-4 Disadvantaged Business Enterprise Program DBE Subcontractor Utilization Form with the bid package shall cause the bid to be rejected as a non-responsive bid.

The City of Rio Dell advises potential bidders that the project may be funded in whole or part with federal loan or grant funds through the California Safe Drinking Water State Revolving Fund, and, therefore federal Disadvantaged Business Enterprise (DBE) regulations apply to this project. (Reference 40 Code of Federal Regulations Part 33 – Participation by Disadvantaged Business Enterprises in U.S. Environmental Protection Agency Programs).

The DBE rule requires that responsive bid shall conform with "Good Faith Efforts" to increase DBE awareness of procurement opportunities through race/gender neutral efforts. Race/gender neutral efforts are ones which increase awareness of contracting opportunities in general, including outreach, recruitment and technical assistance. Bidder agrees that it will cooperate with and assist the City of Rio Dell in fulfilling the DBE Good Faith Effort Requirement achieving "fair share objectives" and will exercise "Good Faith Efforts" to achieve such minimum participation of small, minority and women owned businesses. In particular, in submitting a bid, the bidder shall, in the selection of any and all contractors, subcontractors, and vendors for the procurement of equipment, supplies, construction, and services related to the project, at a minimum, undertake the following affirmative "Good Faith Efforts" steps:

Good Faith Effort Requirements

1. Include disadvantaged business enterprises on solicitation lists.
2. Assure that disadvantaged business enterprises are solicited whenever they are potential sources, in a way that encourages and facilitates their participation in the competitive process.
3. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by disadvantaged business enterprises.
4. Establish delivery schedules, when the requirements of the work permit, which will encourage participation by disadvantaged business enterprises.
5. Use the services and assistance of the Small Business Administration and the U.S. Minority Business Development Agency, as appropriate; and
6. If any contractor awards subagreements, require the contractor to take the affirmative steps in paragraphs (1) through (5) of this section.

Each bid must include submission of EPA Form 6100-3 Disadvantaged Business Enterprise Program DBE Subcontractor Performance Form and EPA Form 6100-4 Disadvantaged Business Enterprise Program DBE Subcontractor Utilization Form with the bid package.

Other Requirements:

1. The apparent successful low bidder must submit documentation showing that, prior to bid opening, the required "Good Faith Efforts" were made. The documentation must be received by the City of Rio Dell within 5 working days following bid opening, or within 5 working days after request for documentation if initial apparent successful low bidder is disqualified for any reason, except EPA Forms 6100-3 and 6100-4 which are to be submitted with the bid. Failure to submit these forms with the bid will cause the bid to be rejected as non-responsive.
2. If the apparent successful low bidder is rejected or considered as non-responsible and/or has any non-responsive low DBE sub-bidder, a complete explanation must be provided to the City of Rio Dell.
3. Using Attachment B (Verification of Qualification), apparent successful low bidder must provide evidence of certification by a federal, state, or local government entity for each Disadvantaged Business Enterprise firm to be utilized. Such certification documentation shall be submitted within 5 working days following bid opening.
4. If additional procurement becomes necessary after the award of the prime contract, the "Good Faith Efforts" shall be applied, and, if Disadvantaged Business Enterprise subcontracts are awarded, Attachment B (Verification of Qualification) shall be provided to the City of Rio Dell by the prime contractor within 10 working days following the award of each new subcontract.
5. Any deviation from the information contained in EPA Forms 6100-3 and 6100-4 shall not result in a reduction of Disadvantaged Business Enterprise participation without prior approval of the City of Rio Dell.
6. Failure of the apparent low bidder to perform the six affirmative "Good Faith Efforts" steps prior to bid opening and/or to submit EPA Forms 6100-3 and 6100-4 with its bid will lead to its bid being declared non-responsive by the City of Rio Dell. The City of Rio Dell may then award the contract to the next low responsive, responsible bidder meeting the requirements of these contract provisions.
7. Prime contractor must pay its subcontractor(s) for satisfactory performance no more than 30 days from the prime contractor's receipt of payment.
8. Prime contractor must provide each proposed subcontractor/supplier/vendor copies of EPA Form 6100-2 and EPA Form 6100-3.
9. Each bid must include submission of EPA Form 6100-3 and EPA Form 6100-4.

Fair Share Objectives

Interested bidders are advised that the following fair share objectives have been established for this project. Fulfillment of the Disadvantaged Business Enterprise requirement is based on documented completion of the Good Faith Effort Requirements, not level of Disadvantaged Business Enterprise participation proposed/achieved.

	Minority Business Enterprise	Women's Business Enterprise
CONSTRUCTION	11%	4%
SUPPLIES	2%	1%
SERVICES	4%	2%
EQUIPMENT	2%	2%

Semiannual DBE Utilization Reporting

In order to fulfill federal reporting requirements, the selected prime contractor must, using Attachment F [MBE/WBE Utilization], report to City of Rio Dell on a semiannual basis, their utilization of Minority Business Enterprise and Women's Business Enterprise subcontractor/supplier/vendors. The City of Rio Dell will compile all MBE/WBE Utilization reports from prime contractor(s) and sub-contractor(s) into one report and submit to SWRCB by April 15 and October 15 of each year until the last claim is submitted.

ATTACHMENT B

MINORITY BUSINESS ENTERPRISE/WOMEN'S BUSINESS ENTERPRISE
(MBE/WBE)¹
VERIFICATION OF QUALIFICATION

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH
DIVISION OF DRINKING WATER AND ENVIRONMENTAL MANAGEMENT

Firm Name: Frank Zabel Tr		Phone: (707) 443-4277	
Address: P.O. Box 6236, Eureka, CA 95502			
Principal Service or Product: Hauling / Trucking			
<input checked="" type="checkbox"/> MBE <input type="checkbox"/> WBE			
<input type="checkbox"/> Prime Contractor <input checked="" type="checkbox"/> Supplier of Material/Service <input type="checkbox"/> Subcontractor <input type="checkbox"/> Broker			
<input type="checkbox"/> Sole Ownership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture			
Names of Owners	Percent Ownership	MBE- Ethnic Identity ¹	WBE
Frank Zabel	60	Hispanic American	—
Barbara Zabel	40	—	—
Agency Certifying MBE /WBE Qualification Caltrans (Dept. of Transportation)			
Certifying Agency Address 1823 14 th St., MS 79 Sacramento, CA 95811		Certifying Agency Phone (916) 324-1700	
Certification number 4823		Date Certified 12/19/2008	
Submitted by: Barbara Zabel		Date: 6/16/16	

¹ Refer to definitions on the next page.

MINORITY BUSINESS ENTERPRISE/WOMEN'S BUSINESS ENTERPRISE (MBE/WBE) [USEPA DEFINITIONS-

A MBE is a business that is, (1) at least 51 percent owned and controlled by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners.

A WBE is a business that is, (1) at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women; and, (2) whose daily business operations are managed and directed by one or more of the women owners.

MINORITY INDIVIDUALS INCLUDE:

(a) American Indians

Persons having origins in any of the original peoples of North America. To qualify in this group, a person must be a citizen of the United States and meet one or more qualifying criteria including:

- (1) Be at least one-fourth Indian descent (as evidenced by registration with the Bureau of Indian Affairs);
- (2) Characteristic Indian name;
- (3) Recognition in the community as an Indian;
- (4) Membership in a tribe, band or group of American Indians (recognized by the Federal Government), as evidenced by a tribal enrollment number or similar indication; and
- (5) Characteristic Indian appearance and features.

(b) Black Americans

U.S. citizens, other than Hispanic, having origins in any of the black racial groups of Africa.

(c) Asian Americans

U.S. citizens having origins in any of the original peoples of the Far East, Southern Asia, the Indian subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa. The Indian subcontinent takes in the countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikkim, and Bhutan.

(d) Hispanic Americans

U.S. citizens of Mexican, Puerto Rican, Cuban, or other Spanish culture or origin, regardless of race. Only those persons from Central and South American countries who are of Spanish origin, descent, or culture should be included in this category. Persons from Brazil, Guyana, Surinam or Trinidad, for example, would be classified according to their race and would not necessarily be included in the Hispanic category. In addition, the category does not include persons from Portugal, who should be classified according to race.

(e) American Eskimos and American Aleuts

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name Frank Zabel Trucking, Inc		Project Name Rio Dell Metro Well Redevelopment	
Bid/ Proposal No. 1169193	Assistance Agreement ID No. (if known)	Point of Contact Barbara Zabel	
Address PO Box 6236, Eureka, CA 95502			
Telephone No. (707) 443-4277		Email Address zabel trucking@gmail.com	
Prime Contractor Name Wahlund Construction, Inc.		Issuing/Funding Entity: Rural Utility Service	


Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
18, 19, A-1	Gravel Haul, Asphalt Haul (Services)	\$3,000.00
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA <input type="checkbox"/> Other: _____		
Meets/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown		

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Ken Wahlund
Title	Date
President	6/16/16

Subcontractor Signature	Print Name
Title	Date

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name Wahlund Construction, Inc.		Project Name Rio Dell Metro Wells Redevelopment	
Bid/ Proposal No. 916^{KW} 1169193	Assistance Agreement ID No. (if known)	Point of Contact Ken Wahlund	
Address 830 Hilma Dr., Eureka, CA 95503			
Telephone No. (707) 268-0150		Email Address Ken@Wahlcon.com	
Issuing/Funding Entity: Rural Utility Service			

I have identified potential DBE certified subcontractors	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
Frank Zabel Trucking Inc.	PO Box 6236, Eureka, CA 95302 (707) 443-4277	\$3,000	Yes

Continue on back if needed

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>Ken Wahlund</i>	Ken Wahlund
Title	Date
President	6/16/16

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodelcity.com*



September 20, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action Regarding Downtown City Parking Lot Improvements

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff.

BACKGROUND AND DISCUSSION

The City Manager will provide an update on the final work being undertaken to modify the City's downtown parking lot. This includes the possible installation of a fence and recommendations to move forward on this project, if desired.

///

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodelcity.com*



September 20, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action on Bottled Water Proposal from Councilmember Thompson

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction.

BACKGROUND AND DISCUSSION

Councilmember Jack Thompson has requested that an item be placed on the agenda concerning a proposal related to bottled water. Mr. Thompson has provided the attached information and requested time to speak to the Council on this matter.

///



9109

05221207

05221205

W JOHNSON ST

05221120

WILLOW AVE

05216249

05221121

PAINTER

05220106

PACIFIC AVE

W PAINTER ST

SPYING

05220107

RIDGELL AVE

05220301

WILLOW AVE

CENT

05204104

05204105

05220118

05220117

W CENTER ST

05222301

Map Tool Options



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Extension Service

Estimating Water Flow Rates

EC 1369
Reprinted September 1994
W.L. Trimmer

Do you want to print a copy?
We recommend downloading the print version (199 K).
First download the free Adobe Reader, if you don't already have it.

Contents

Method 1--Discharge from a pipe
Figure 1
Table 1
Table 2
Method 2--Average cross section
Figure 2
Method 3--Timed volume
Figure 3
Method 4--Pressure and nozzle size
Figure 4
Table 3
List of equivalents

Increasing competition for water resources has made water conservation a high priority. Measuring the flow rate of water is the first step to good water management. All water right holders in the State of Oregon must be able to measure the flow rate of the water being diverted.

If a flow meter, flume, or weir isn't available, there are several methods available to estimate flow rate that you can do with available tools like stopwatches, rulers, and buckets.

The usual unit measuring flow rate for irrigation water rights is a cubic foot per second (cfs). This is water flowing through a cross-sectional area of 1 ft² at a velocity of 1 foot per second, and it's sometimes called a second-foot.

A common diversion rate in eastern Oregon might be 1 cfs/40 acres. Here are some handy conversions (see page 4 for others): 1 cfs is about 450 gallons per minute; 1 cfs is about 1 acre-inch per hour; 1 cfs is about 2 acre-feet per day.

Propeller flow meters, weirs, and flumes provide the most accurate measures of flow rate, but in many instances you must make an estimate without them. Here are four methods to estimate irrigation diversions.

[top](#)

Method 1

Discharge from a pipe

If water can freely drop from a pipe, you can estimate the flow rate by measuring length with nothing more than a carpenter's rule. When the pipe is flowing full, place the rule as shown in Figure 1 and measure a horizontal distance when the vertical drop $Y = 13$ inches

Find the proper pipe size in Table 1, and the discharge is in gallons per minute (gpm). If the pipe isn't level, use a plumb bob to measure the vertical drop Y .

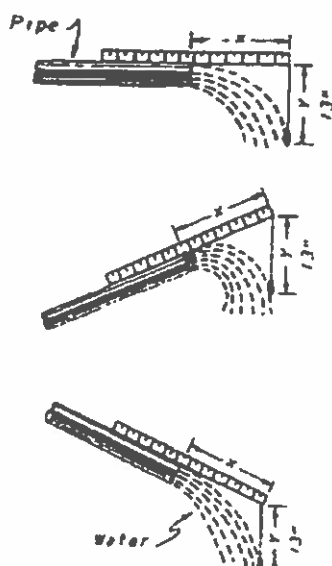


Figure 1.—Measuring horizontal distance (X) of a pipe flowing full with vertical drop $Y=13"$.

top

Example 1. An 8-inch-diameter pipe is flowing full, and the horizontal distance X is measured to be 20 inches. From Table 1, the flow rate is 1,005 gpm.

Table 1.—Discharge (gallons per minute) from pipes flowing full, with vertical drop $Y = 13"$ and variable horizontal distances X .

Pipe Size	Horizontal Distance X, inches	12	14	16	18	20	22	24	26	28	30	32	34	36
2"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
3"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
4"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
6"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
8"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
10"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
12"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
14"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
16"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
18"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
20"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
22"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
24"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
26"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
28"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
30"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
32"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
34"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
36"	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1

If the pipe is flowing only partially full, find the ratio of the unfilled portion of pipe to the diameter of the pipe to estimate flow rate in gallons per minute, as shown in Table 2

top

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Fountains

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Marine Filters

Water Cups

Water Bottles

Water Testing &
Monitoring

★ REVIEWS

Fresh Water Commercial Reverse Osmosis System by AXEON

4000 gpd

Part Number: CRO-4000-FW-2

- Capacity: 4000 gpd
- System Type: Free Standing
- Country of Origin: Made in the USA
- Membrane Quantity: 2
- Membrane Size: 4" x 40"

[View Details](#)



\$4,999.99

Qty: 1

[ADD TO CART](#)

[Compare](#)

Fresh Water Commercial Reverse Osmosis System by AXEON

7000 gpd

Part Number: CRO-7000-FW-2

- Capacity: 7000 gpd
- System Type: Free Standing
- Country of Origin: Made in the USA
- Membrane Quantity: 4
- Membrane Size: 4" x 40"

[View Details](#)



\$6,649.99

Qty: 1

[ADD TO CART](#)

[Compare](#)

Flexeon CT-4000 Commercial Reverse Osmosis System 4000

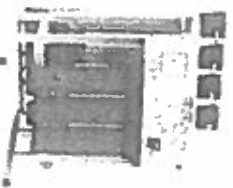
gpd

Part Number: 204384

Alternate Part Number: 200034

- Capacity: 4000 gpd
- System Type: Free Standing
- Country of Origin: Made in the USA
- Membrane Quantity: 2
- Membrane Size: 4" x 40"

[View Details](#)



MSRP: \$8,991.99

\$4,429.99

Qty: 1

[ADD TO CART](#)

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★ REVIEWS

KONIC

Watts R4X40-2 Commercial Reverse Osmosis System 4400 gpd



Part Number: R4X40-2

- Capacity: 4400 gpd
- System Type: Free Standing
- Membrane Quantity: 2
- Membrane Size: 4" x 40"

[View Details](#)

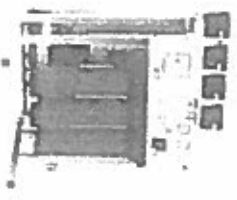
Qty: 1

[ADD TO CART](#)

[Compare](#)

\$4,099.99

Flexeon CT-5000 Commercial Reverse Osmosis System 5000 gpd



Part Number: 204405

Alternate Part Number: 200035

- Capacity: 5000 gpd
- System Type: Free Standing
- Country of Origin: Made in the USA
- Membrane Quantity: 3
- Membrane Size: 4" x 40"

[View Details](#)

Qty: 1

[ADD TO CART](#)

[Compare](#)

\$5,199.99

MSRP: \$10,028.39

Watts R4X40-3 Commercial Reverse Osmosis System 6600 gpd



Part Number: R4X40-3-230

- Capacity: 6600 gpd
- System Type: Free Standing
- Membrane Quantity: 3
- Membrane Size: 4" x 40"

[View Details](#)

Qty: 1

[ADD TO CART](#)

[Compare](#)

\$4,699.99

Flexeon CT-7000 Commercial Reverse Osmosis System 7000 gpd



MSRP: \$11,177.16

Part Number: 204426

Alternate Part Number: 200036

- Capacity: 7000 gpd
- System Type: Free Standing
- Country of Origin: Made in the USA
- Membrane Quantity: 4
- Membrane Size: 4" x 40"

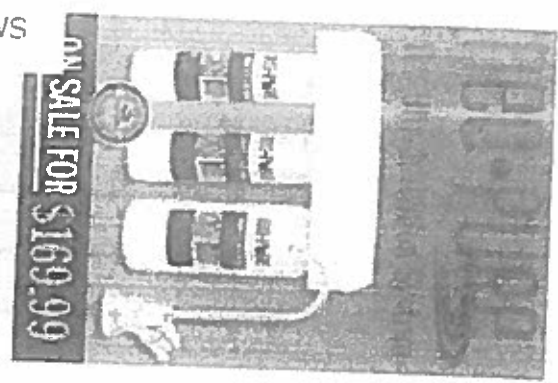
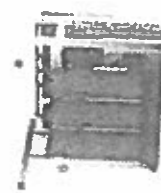
View Details

\$5,549.99

Qty: 1

ADD TO CART

Compare



★ REVIEWS

removes 99.99% of cysts,
bacteria and viruses
4 turn quick change filters
requires no back or drain
flow rate — up to 1 gpm

Our quality is as crystal clear as our water

Price Chart

Request a Quote On-line, Email Us or call toll free 877-262-0237 for more information. In addition to these prices there is a one-time artwork set-up fee (\$100 for two colors) and shipping costs. **All prices listed below include a clear bottle with flat cap, a two-color label and FOB our plant.**

1. More colors are available at an additional charge.
2. Blue bottles are an additional \$0.10 per case.
3. White sport caps are an additional \$0.50 per case (not available on 12 oz).

12 Oz. Bottle, Spring Water – Only available with the Flat Cap

No. of Cases	Case Weight	Total Weight	Total Bottles	Price / Bottle	Price / Case	Total Price
40	22 lbs	880 lbs	960	\$.53	\$12.75	\$510.00
80	"	1,760 lbs	1,920	\$.41	\$9.75	\$780.00
120	"	2,640 lbs	2,880	\$.36	\$8.75	\$1,050.00
180	"	3,960 lbs.	4,320	\$.35	\$8.50	\$1,530.00
240	"	5,280 lbs	5,760	\$.34	\$8.25	\$1,980.00
420	"	9,240 lbs	10,080	\$.31	\$7.50	\$3,150.00

16.9 Oz. Bottle, Spring Water

No. of Cases	Case Weight	Total Weight	Total Bottles	Price / Bottle	Price / Case	Total Price
40	30 lbs	1,200 lbs	960	\$.54	\$13.00	\$ 520.00
80	"	2,400 lbs	1,920	\$.42	\$10.00	\$ 800.00
120	"	3,600 lbs	2,880	\$.38	\$ 9.00	\$1,080.00
180	"	5,400 lbs	4,320	\$.36	\$ 8.75	\$1,575.00
240	"	7,200 lbs	5,760	\$.35	\$ 8.50	\$2,040.00
420	"	12,600 lbs	10,080	\$.32	\$ 7.75	\$3,255.00

20 Oz. Bottle, Spring Water

No. of Cases	Case Weight	Total Weight	Total Bottles	Price / Bottle	Price / Case	Total Price
36	36 lbs	1,296 lbs	864	\$.56	\$13.50	\$ 486.00
54	"	1,944 lbs	1,296	\$.53	\$12.65	\$ 683.10

Tapping the spring water that flow off of the Bellevue area into the drain as flood water would be limited only by the amount of storage.

Osmosis water system producing 9500 gal a day cost \$4,890.00.

	\$ 120.86 / 5665 bottles = \$.021 each
	1 unit or 748 gal or 5665 bottles cost \$2.61 or .0035 each.

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodelcity.com*



September 20, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action Authorizing Staff to Advertise a Request For Proposal (RFP) Related to the Replacement of the Waterline Along Old Ranch Road.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to advertise the RFP.

BACKGROUND AND DISCUSSION

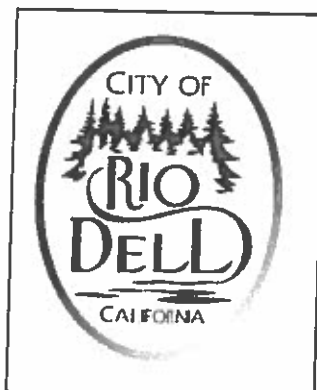
Staff has prepared an RFP for waterline placement along Old Ranch Road. This segment of the water system is severely degraded and prone to failure. During last year's water rate adjustment, a separate pressure zone was created in this location and all costs associated with this project will be borne by the residents of that pressure zone.

This project replaces the existing above-ground Old Ranch Road waterline with a new above-ground water line. This option is being recommended by staff due to the urgent need to replace the line and this option also minimizes potential legal complications caused by modification of the waterlines route or configuration.

Staff has already provided notification of the City's intent to replace the water line. Once authorized by the Council, staff will begin notification of the impending construction of the project.

///

Old Ranch Road Waterline Replacement Request for Proposal



City of Rio Dell
675 Wildwood
Avenue
Rio Dell CA 95562
(707)764-3532

Issue Date: September 26, 2016
Due Date: October 21, 2016
Description: Waterline Replacement.
Reference #: _____
Auth. Date: _____

Summary: The City of Rio Dell is seeking bids from Contractors to install an above-ground water service line along Old Ranch Road.

REQUIRED LICENSING:

The license required for this project is a minimum of "C-34" and/or "C-36" issued by the State of California.

- ☐ Contractor has a C-34 license. **Contractor's License #** _____ **Expires:** _____
- ☐ Contractor has a C-36 license. **Contractor's License #** _____ **Expires:** _____
- ☐ Contractor has registered with the State of California's DIR (Department of Industrial Relations) website:

DIR Registration Number: _____

TIME OF COMPLETION:

Bidder agrees to complete the project on or before a date specified in a signed contract. The City desires to complete this project as soon as possible.

NON MANDATORY WALK-THROUGH:

A non-mandatory pre-quote conference will be held on October 12, 2016 at 10:00am at the Rio Dell City Hall Council Chambers. The group will then travel to the site along Monument Road.

TIMELINE:

TIMELINE	DATES
RELEASE OF REQUEST FOR PROPOSAL	September 26, 2016
DEADLINE FOR SUBMISSION OF QUESTIONS Email: jensenr@cityofriodell.ca.gov	October 10, 2016 @ 5:00pm
CITY RESPONSE TO QUESTIONS DUE DATE	October 12, 2016 @ 10:00am
DEADLINE FOR PROPOSALS TO BE RECEIVED	October 21, 2016 @ 4:30pm
OPENING OF SEALED BIDS	THE FOLLOWING DATES ARE TENTATIVE AND MAY BE SUBJECT TO CHANGE October 21, 2016 @ 4:30pm
RECOMMENDATION OF AWARD TO CITY COUNCIL (AGENDA ITEM)	November 1, 2016
CONTRACT FINALIZATION / NEW CONTRACT START DATE	November 8, 2016

Original copies of the proposal are to be received by 4:30 p.m. on **October 21, 2016**, Pacific Standard Time, at 675 Wildwood Avenue, Rio Dell CA 95562. Late, faxed, emailed, or unsigned proposals will be rejected. Post marks do not count. No additional information or documentation will be accepted from Proposers after the proposal due date.

INTRODUCTION:

The City of Rio Dell requires water line construction and demolition services for 2,200 feet of a new above-ground service line. This project replaces an existing line that sits mostly above ground and was installed 30+ years ago. This project will connect to four meters and will traverse one active landslide area where the final construction must allow for continued movement of the ground. Finally, this project includes the removal and disposal of the existing 780 feet of 1-inch poly pipe and 525 feet of existing 2-inch poly piping that currently services the customers in this area.

SCOPE OF SERVICES:

Installation of Water Main and Services for Old Ranch Road Project:

1. Contractor to install 2200' of new water main and tie in existing water lateral services. Main Line is to be placed on ground surface on East edge of roadway and add support brackets ever ten (10) feet to secure water main along roadway.
 2. Contractor to install shut off valve at the point of the new water main's connection to the water main along Monument Road. Contractor to install G5 Utility Box at ground level at this intersection with valve.
 3. All utility boxes shall be set on 6" of 3/4" or smaller gravel base and buried at grade. Minor hand excavation required.
 4. Contractor to install 1st Water service including new meter box, new meter body (supplied by City) to new main line at 440ft from intersection of Monument and Old Ranch Road
 5. Contractor to install 2nd Water service including new meter box, new meter body (supplied by City) to new main line at 680ft from intersection of Monument and Old Ranch Road
 6. Contractor to install 3rd Water service including new meter box, new meter body (supplied by City) to new main line at 800ft from intersection of Monument and Old Ranch Road
 7. Contractor to install break away section of Water main at 1660ft and 1725ft at location of the active slide. Contractor shall install a backflow prevention device at 1730ft.
 8. Contractor shall make recommendations and provide an additive bid for a solution that limits or eliminates water loss at the slide location due to the movement of the slide and or breakage of the line at the slide location.
 9. Contractor to install 4th Water service including meter box and new meter body (supplied by City) to new main line at 2200ft from intersection of Monument and Old Ranch Road
 10. Contractor to install 3/4" air relief valves at no less than six (6) high elevation points of water line:
- NOTE: relief valves to be installed at various elevated locations to remove any air for mainline which may cause system to become air locked.
10. Contractor to remove and dispose of old exposed water main line. Disposal must be

done according to State law and receipts provided to the City for the disposition of the waste.

780ft of 1" at various locations along roadway

525ft of 2" at various locations along roadway

11. Contractor shall only access the project site via access point at Old Ranch Road and Monument Road.

12. Contractor is responsible to verify all conditions at the worksite; ANY inconsistencies shall be brought to the City's attention before proceeding with any work.

13. Contractor shall provide notification to all downstream customers that water services will be closed when shutting down water from the main as necessary for construction.

14. Contractor shall not shut down water services for more than four hours within any 24 hour period.

15. Contractor shall provide all necessary and required lab testing on new water main prior to activation.

16. Contractor shall use 2" polyethylene piping rated at 250 PSI. Contractor shall use compression fittings to connect pipe segments.

**See Attachment B for water service installation plan.

SUBMISSION

All proposals must be submitted in a sealed envelope clearly marked with the title of OLD RANCH ROAD WATERLINE BID

- Late proposals will not be accepted.
- Post marks do not count.
- All proposals, whether selected or rejected, shall become the property of the City of Rio Dell.

Proposals are to be sent to:

OLD RANCH ROAD WATERLINE BID
ATTN: CITY MANAGER
675 Wildwood Avenue
Rio Dell CA 95562

PREVAILING WAGE REQUIREMENT

Pursuant to the provisions of the Labor Code of the State of California, the Department of Industrial Relations has made a determination of the rate of per diem wages to be paid on the prevailing rate of pay for regular, holiday and overtime work in the locality in which the public work is to be performed, for each craft, classification, or type of workman needed to execute the contract. All City of Rio Dell projects greater than \$1,000 requires that contractors adhere to Prevailing Wage requirements (California Labor Code, Sections 1770 through 1775). The rates can be found online here:

<http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

PUBLIC RECORDS AND TRADE SECRETS

All proposals and materials submitted become the property of the City and are subject to disclosure under the Public Records Act, Government Code section 6250 *et seq.*

This Request for Proposal and all responses are considered public information, except for trade secrets specifically identified, which will be handled according to state statutes or other laws. Any information that contains trade secrets shall be communicated to county by the Proposer. Any page of the proposal that is deemed to be a trade secret by the Proposer shall be clearly marked "PROPRIETARY INFORMATION" at the top of the page in at least one-half inch (1/2") size letters. In the event that the county receives a request for disclosure of any such specifically identified information, prior to release of any such specifically identified information, the county will contact the Proposer and will not release the specifically identified information if the Proposer agrees to indemnify, defend, and hold harmless the county in any action brought to disclose such information. The Proposer, by submitting such information, agrees that the failure of county to contact Proposer prior to the release of such information will not be a basis for liability by city or any City employee to Proposer.

EXCEPTIONS TO SPECIFICATION

Proposers taking the exception to any part or section of these specifications shall indicate such exceptions in the proposal. Failures to indicate any exceptions shall be interpreted as the Proposer's intent to fully comply with the specifications as written. However, conditional or qualified proposals are subject to rejecting in whole or in part.

EXPENSES INCURRED IN PREPARING THE PROPOSAL

The city accepts no responsibility for any expense incurred by Proposer in the preparation and presentation of a proposal, such expenses to be borne exclusively by the Proposer.

PROPOSER INVESTIGATIONS

Before submitting a proposal, each Proposer shall make all investigations and examinations necessary to ascertain the full performance of the contract and to verify any representations made by the city that the Proposer will rely upon. No pleas of ignorance of such conditions and requirements resulting from failure to make such investigations and examinations will relieve the successful Proposer from its obligation to comply with every detail of all provisions and requirements of the contract documents or will be accepted as a basis for any claim whatsoever for any monetary consideration on the part of the Proposer.

QUALIFICATIONS OF PROPOSERS

Each Proposer, as part of its proposal, shall submit evidence that it has the necessary facilities, ability, and financial resources to furnish the services specified herein in a satisfactory manner. The Proposer shall also submit a written history, with references which will enable the county to be satisfied as to the Proposer's qualifications. Proposer shall list any and all contracts that Proposer failed to complete and the reason therefore. Proposer shall submit written permission for the county to contact any and all references and clients should the county request. Failure to qualify according to the foregoing requirements will justify proposal rejection by the county.

PROPOSAL WITHDRAWAL

No proposal can be withdrawn after it is filed unless the Proposer makes a request in writing to the city prior to the time set for the opening of proposals or unless the city fails to accept a proposal within ninety (90) days after the date fixed for opening proposals.

APPLICABLE LAW

The solicitation and any contract resulting from this solicitation shall be governed in all respects by the laws of the State of California and any litigation with respect thereto shall be brought in the courts of this State in the County of Humboldt. The successful Proposer shall comply with all applicable federal, state, and local laws and regulations.

SELECTION PROCESS

The award of contracts shall be at the sole discretion of the City. It is the intent to make an award to one Bidder for all services required, although the City reserves the right to make multiple awards, depending on the needs and best interests of the City. The City may accept or reject any or all proposals in whole or in part and may waive informalities in

the process. The contents of the proposal of the selected Bidder will become the basis for a contractual obligation when the award is made.

Award will be made to the lowest responsible/responsive Bidder. The City may make an award without further discussion of the proposals submitted; therefore, the proposal should be submitted on the most favorable terms that the Bidder can propose.

Final contract will be subject to approval by the City Council. The city reserves the right to award a contract or contracts to Proposer that presents a proposal which, in the sole judgment of the city, serves the best interest of the city.

The city reserves the right to reject any and all proposals, to waive minor irregularities in said proposals, or to negotiate deviations with the successful Proposer.

CONFLICT OF INTEREST

Proposer warrants and covenants that no official or employee of the city, nor any business entity in which an official of the city has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract, nor any such person will be employed in the performance of such contract without immediate divulgence of such fact to the city.

CONTRACT

If a proposal is accepted, the successful Proposer will be required to sign a contract. Any executed contract will be substantially similar.

PERIOD OF AWARD

The expected period of the award is no more than December 31, 2016, however city may extend project completion to June 30, 2016.

INSURANCE REQUIREMENTS:

The successful Proposer will be required to satisfy the insurance requirements, as set forth by the City. The Proposer shall furnish the county with certificates and original endorsements affecting the required insurance coverage prior to execution of a contract by the city. In addition, the city may require additional insurance requirements dependent upon Proposer's proposed services. Insurance coverage shall be no less than:

Combined single limit bodily injury liability and property damage liability -
\$1,000,000 each occurrence.

Vehicle / Bodily Injury combined single limit vehicle bodily injury and property
damage liability -\$500,000 each occurrence.

OWNERSHIP AND CONTROL:

The successful Proposer will be required to provide information on its ownership and control as provided in 42 Code of Federal Regulations sections 455.101 and 455.104.

ASSIGNMENT:

Any contract resulting from this proposal and any amendments or supplements shall not be assignable by the successful Proposer.

RESERVATION OF RIGHTS:

The City of Rio Dell reserves the right to:

- Cancel this RFP
- Amend this RFP
- Extend the deadline for submitting proposals
- Waive minor irregularities or failures to conform to the RFP

NEGOTIATIONS:

The city reserves the right to negotiate prior to contract execution with any Proposer. Items that may be negotiable include, but are not limited to, types and scope of services and activities and performance criteria. Negotiable items must be consistent with the original proposal submitted, including proposed costs. Proposers may not change the terms of their proposal after bid opening.

INQUIRY:

Direct all questions regarding OLD RANCH ROAD WATERLINE BID to:

City of Rio Dell
Attn: City Manager
675 Wildwood Avenue
Rio Dell, CA 95562

All questions must be in written form. All questions and responses will be publicly posted. Questions must be received by **October 10, 2016** and answers provided at the Non-Mandatory walk through meeting on **October 12, 2016**.


ATTACHMENTS:

- A. Bid Sheet for Old Ranch Road
- B. Water Service Installation Plan
- C. Project Location Map

DRAFT

ATTACHMENT A: BID SHEET

Old Ranch Road Waterline Replacement Request for Bids

	City of Rio Dell	Issue Date: September 26, 2016
	675 Wildwood Avenue	Due Date: October 21, 2016
	Rio Dell CA 95562	Description: Waterline Replacement.
	(707)764-3532	Reference #: _____
		Auth. Date: _____

Summary: The City of Rio Dell is seeking bids from Contractors to install an above-ground water service line along Old Ranch Road.

DRAFT

BID SUMMARY:

Total Bid Price (No Additive) : _____ (\$_____)

Total Bid Price (With Additive): : _____ (\$_____)

SIGNATURE _____

DATE _____

PRINT NAME _____

COMPANY _____

BID SCHEDULE: OLD RANCH ROAD WATERLINE REPLACEMENT

Item No.	Est. Qty.	Unit	Description	Unit Price	Total
1	1		Mobilization / Demobilization	\$()	\$()
2	1		Labor	\$()	\$()
3	2200	LF	2" Polyethylene Piping Rated at 250 PSI	\$()	\$()
4	100	LF	1" CTS Polyethylene pipe (for meters)	\$()	\$()
5	220		Ground Anchoring Brackets	\$()	\$()
6	1		G5 Utility Box	\$()	\$()
7	4		Meter Boxes (Christy FLO9T 11" x 17" Fiberlyte with lid.	\$()	\$()
8	2	CY	3.4" Gravel	\$()	\$()
9	1		Backflow Check Valve 2"	\$()	\$()
10	5		Valve 2" Ball Valve	\$()	\$()
11	4		Corporation Stop	\$()	\$()
12	4		Meter (Supplied by City)	N/A	N/A
13	4		Meter Angle Stop	\$()	\$()
14	8		Rubber Meter Washers	\$()	\$()
15	4		Meter Coupling (Meter Tail)	\$()	\$()
16	1		Coliform Testing	\$()	\$()
17	1		Disposal Costs	\$()	\$()
18	6		Air Relief Valves	\$()	\$()
19	8		Stainless Steel Insert 1"	\$()	\$()
20	6		Stainless Steel Insert 2"	\$()	\$()
21	2		Slip Joints 2"	\$()	\$()
22	4		2" x 1" Service Saddles	\$()	\$()
23	16		Compression Fittings 2"	\$()	\$()
Miscellaneous: (Listed Below)					
24				\$()	\$()
25				\$()	\$()
26				\$()	\$()
27				\$()	\$()
28				\$()	\$()
29				\$()	\$()
30				\$()	\$()

SUB-TOTAL

\$() \$()

ADDITIVE ITEM: Contractor recommendation for water loss prevention at slide.

31				\$ ()	\$ ()
32				\$ ()	\$ ()
33				\$ ()	\$ ()
34				\$ ()	\$ ()

SUB-TOTAL	\$ ()	\$ ()
TOTAL WITH ADDITIVE ITEM	\$ ()	\$ ()

EXCEPTION TO SPECIFICATION: List all exceptions to specification on a separate piece of paper, attached to the bid

THIS FORM MUST BE COMPLETED, SIGNED AND DATED FOR YOUR BID TO BE VALID. SIGNATURES OR HANDWRITING MAY BE REQUIRED ON OTHER PAGES OF THIS BID SCHEDULE OR REQUEST.

SIGNATURE _____ DATE _____

PRINT NAME _____ ADDRESS _____

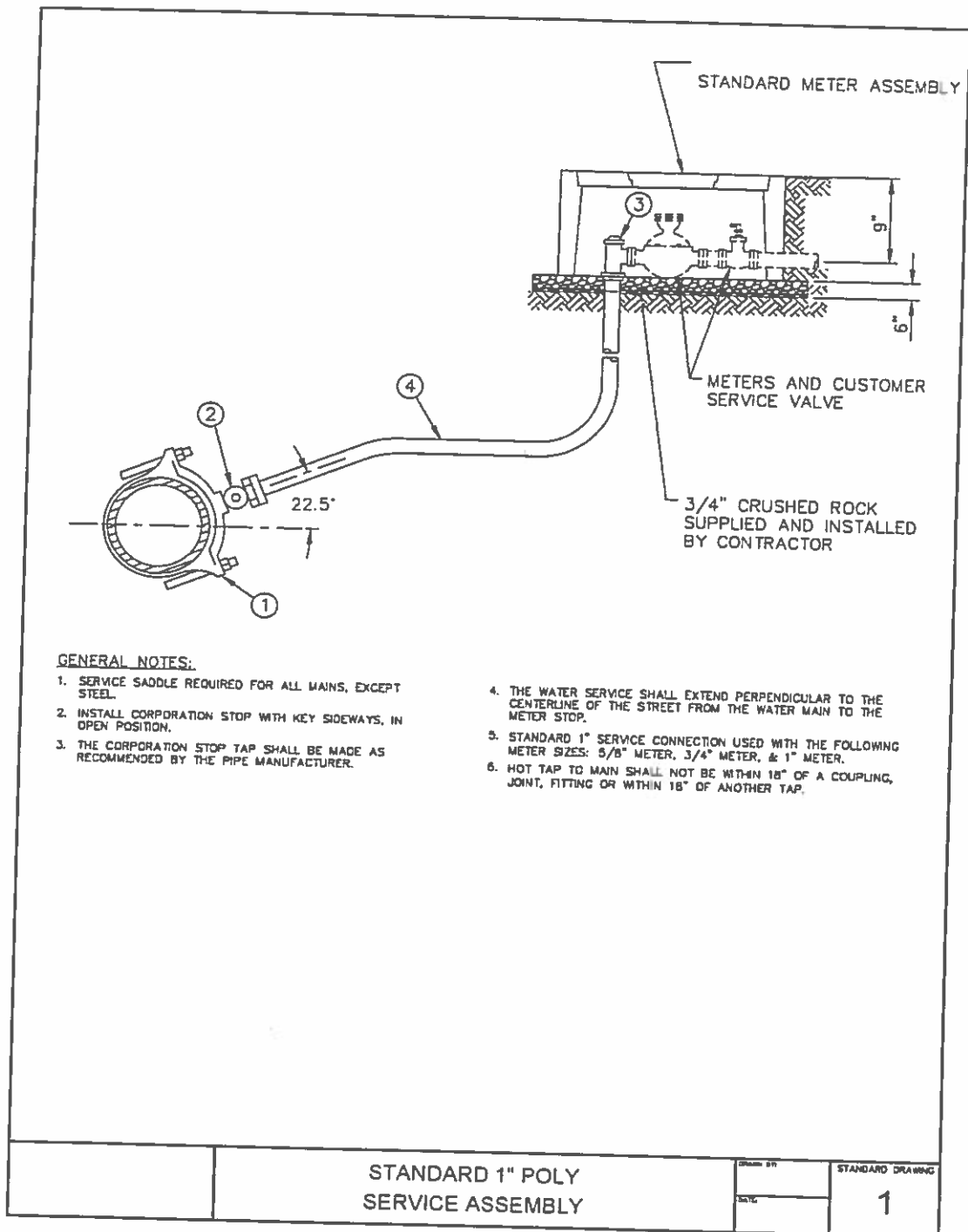
COMPANY _____

EMAIL _____

PHONE _____

DRAFT

ATTACHMENT B: Water Service Installation Plan



ATTACHMENT C: Project Location Map



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: September 20, 2016

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 15, 2016

Subject: Text Amendment Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC)

Recommendation:

That the City Council:

1. Receive staff's report regarding amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC); and
2. Open the public hearing, receive public input and deliberate; and
3. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
4. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
5. Adopt Ordinance No. 347-2016 amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made; and
6. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Accessory Buildings Height, Floor Area Council September 20, 2016

Background

At the Council meeting of September 6, 2016 staff introduced Ordinance No. 347-2016 which would amend Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made.

Again, staff has been contacted a number of times over the past few years regarding the construction of detached accessory structures and in particular the height limitation of fifteen (15) feet in the City's residential zones. Detached accessory buildings are allowed in residential zones provided they are accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the principal residential use.

As reported at your meeting of September 6, 2016, the Planning Commission recommended that height limits for detached accessory building on lots less than 20,000 square feet be limited to fifteen (15) feet and on lots greater than 20,000 square feet the height be limited to twenty (20) feet. The Planning Commission also recommended limiting the size of buildings based on parcel sizes. Again, detached accessory buildings on lots less than 20,000 square feet would be limited to 1,000 square feet and on lots greater than 20,000 square feet limited to 1,500 square feet.

The Planning Commission also recommended an exception to allow for greater heights and floor areas with a Use Permit. As the Council is aware the Use Permit process requires notifying all property owners within 300 feet of the subject property. This allows neighbors to voice their concerns regarding the proposed exception. The "Exception" recommendations are for the most part the same exception provisions to exceed the allowable fence height regulations, Section 17.30.120 of the RDMC.

There was little discussion and the Council chose not to make any modifications to the Planning Commission's recommendations.

Zone Reclassification Required Findings

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are a number of policies in the General Plan which protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, maintain and protect the visual qualities and property values of an area. The proposed amendments are consistent and compatible with the General Plan.

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for

causing a **significant** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, to protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, maintain and protect the visual qualities and property values of an area, staff believes there is no evidence to suggest that the minor amendments will have a **significant** effect on the environment.

Attachments

Attachment 1: Ordinance No. 347-2016 amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to establish maximum building heights and floor areas based on the size of the parcel and to allow for exceptions by the Planning Commission when certain findings can be made.

ORDINANCE NO. 347-2016



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING SECTION 17.30.020 ACCESSORY USES AND BUILDINGS OF THE RIO DELL MUNICIPAL CODE (RDMC) TO ESTABLISH MAXIMUM BUILDING HEIGHTS AND FLOOR AREAS BASED ON THE SIZE OF THE PARCEL AND TO ALLOW FOR EXCEPTIONS BY THE PLANNING COMMISSION WHEN CERTAIN FINDINGS CAN BE MADE.

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS staff has been contacted a number of times over the past few years regarding the construction of detached accessory structures and in particular the height limitation of fifteen (15) feet in the City's residential zones; and

WHEREAS detached accessory buildings are allowed in residential zones, provided they are accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the principal residential use; and

WHEREAS many jurisdictions allow greater heights on larger parcels and exception provisions without the need for a variance; and

WHEREAS the Planning Commission is recommending the amendments regarding building heights and size limitations to Section 17.30.020, Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC); and

WHEREAS the Planning Commission recommends that the allowable height of detached accessory structures on lots less than 20,000 square feet in size be limited to fifteen (15) feet; and

WHEREAS the Planning Commission recommends that the allowable height of detached accessory structures on lots greater than 20,000 square feet in size be limited to twenty (20) feet; and

WHEREAS the Planning Commission recommends that the allowable area of detached accessory structures on lots less than 20,000 square feet in size be limited to 1,000 square feet; and

WHEREAS the Planning Commission recommends that the allowable area of detached accessory structures on lots greater than 20,000 square feet in size be limited to 1,500 square feet; and

WHEREAS the Planning Commission also recommends exception provisions to allow for greater heights and larger sizes based on specific findings; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Section 17.30.020(2) of the Rio Dell Municipal Code is amended to read in as follows:

17.30.020 Accessory Uses and Buildings

(1) A use legally permitted in the zone that is accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the principal use. Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this chapter; provided, that no accessory use shall be conducted on any property in any urban residential, suburban residential or suburban zone unless and until the main building is erected and occupied, or until a use permit is secured. [Ord. 252 § 6.02, 2004.]

(2) Detached ~~a~~Accessory buildings in suburban residential, urban residential, residential multifamily and suburban zones shall conform to the following development standards ~~not exceed 15 feet in height~~. See "Building Height" definition, Section 17.10.010.

(a) Maximum Building Height

(i) Fifteen feet (15') on lots 20,000 square feet or less.

(ii) Twenty feet (20') on lots larger than 20,000 square feet.

(b) Maximum Gross Floor Area

(i) 1,000 square feet on lots 20,000 square feet or less.

(ii) 1,500 square feet on lots larger than 20,000 square feet.

(3) Exceptions. The Planning Commission may modify by use permit, the height and floor area requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

(a) The proposed modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

(b) The proposed modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

(c) The proposed modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

(d) In issuing a use permit, the Planning Commission may require such changes or alterations to the building as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:

- Building height
- Building area
- Setback from property line
- Screening or landscaping

(3) Detached accessory buildings may not be located within five feet of any main building, nor within five feet of a side line, nor as to encroach on any easement. Minimum yards: side, five feet, shall have the street side yard of 20 feet; rear, 10 feet.

(4) Detached accessory buildings used as second dwelling units shall not be located within 10 feet of lot lines or within five feet of an alley. The second dwelling unit shall be subject to the minimum yard requirements of the zoning district in which it is located.

(5) Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard requirements except as follows:

(a) A passive solar addition to a main building, as defined herein, may be permitted in the required front, rear, or side yard, except street side yard; provided, that no such addition shall reduce the distance between the main building and the front or rear property line to less than 15 feet, nor less than five feet from a side property line, and that no such addition shall occupy more than five percent of the area of the front or rear yard, nor more than 10 percent of the side yard area. [Amended during 2010 codification; Ord. 252 § 6.21.5, 2004.]

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 6, 2016 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 20, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 347-2016 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 20, 2016.


Karen Dunham, City Clerk, City of Rio Dell

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: September 20, 2016

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 16, 2016

Subject: Adoption of Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections.

Recommendation:

That the City Council:

1. Receive staff's report regarding amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections; and
2. Open the public hearing, receive public input and deliberate; and
3. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
4. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
5. Adopt Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections; and
6. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background

As reported at the Council meeting of September 6, 2016, in late 2014 the City reformatted Chapter 17.25 and added a number of new regulations to Chapter 17.30, to the Rio Dell Municipal Code (RDMC). In recently reviewing the Enforcement regulations, Chapter 17.40 of the RDMC, staff discovered that Section 17.40.030 referred to two Sections that were recodified to new section numbers. The two referenced sections, 17.25.030 and 17.25.120 refer to "Adult Entertainment" and "Camping". Those sections were recodified to Sections 17.30.030 and 17.30.170 respectively.

There was very little discussion regarding the minor text amendment at both the Planning Commission hearing and the Council meeting of September 6, 2016.

Zone Reclassification Required Findings

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no policies in the General Plan which would prohibit amending the zoning regulations to accurately refer to the originally intended provisions.

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a **significant** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, to reestablish the original intended numerical sequence of the regulations, staff believes there is no evidence to suggest that the minor amendment will have a **significant** effect on the environment.

Attachments

Attachment 1: Ordinance No. 349-2016 amending Chapter 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections.

ORDINANCE NO. 349-2016



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING CHAPTER 17.40 OF THE RIO DELL MUNICIPAL CODE (RDMC) TO ACCURATELY REFLECT REFERENCED SECTIONS WHICH WERE RECENTLY AMENDED.

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS the City has added a number of new regulations to Chapter 17.30, General Provisions and Exception, to the Rio Dell Municipal Code (RDMC) over the past couple of years; and

WHEREAS based on the added provisions, the numerical section numbers have changed; and

WHEREAS in recently reviewing the Enforcement Regulations, Chapter 17.40 of the RDMC, staff discovered that Section 17.40.030 referred to two Sections that were recodified to new section numbers; and

WHEREAS the two referenced sections, 17.25.030 and 17.25.120 refer to "Adult Entertainment" and "Camping". Those sections were recodified to Sections 17.30.030 and 17.30.170 respectively; and

WHEREAS the Planning Commission is now recommending that Section 17.40.030 be amended to accurately reflect the new sections numbers; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Section 17.40.030 of the Rio Dell Municipal Code is amended to read in as follows:

17.40.030 Penalty.

Notwithstanding any other provisions of this title, including RDMC 17.40.020, any person, whether principal, agent, employee or otherwise who violates RDMC ~~17.25.030~~ 17.30.030 or ~~17.25.120~~ 17.30.170 shall be guilty of a misdemeanor and may be punished as follows:

- (1) By imprisonment in the County Jail not to exceed six months; or
- (2) A fine not to exceed \$1,000 for violations of RDMC ~~17.25.030~~ 17.30.030 and a fine not to exceed \$500.00 for violations of RDMC ~~17.25.120~~ 17.30.170; or
- (3) A combination of such imprisonment and fine. [Ord. 252 § 8.02.5, 2004.]

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 6, 2016 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 20, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 349-2016 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 20, 2016.

Karen Dunham, City Clerk, City of Rio Dell